

1 NEVADA STATE BOARD OF COSMETOLOGY
2 CLARK COUNTY, NEVADA

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4 MEETING OF THE BOARD,)

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6 Monday, February 6, 2006.)

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14 REPORTER'S TRANSCRIPT OF PROCEEDINGS

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17 Taken on Monday, February 6, 2006

18 at 8:59 a.m.

19 at 1785 East Sahara Avenue, Suite 255

20 Las Vegas, Nevada

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25 REPORTED BY: ELLEN L. FORD, RPR, CCR #846

1 APPEARANCES:

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3 Before:

4 E. LAVONNE LEWIS,
5 Chairwoman

6

7 Board Members:

8 LINDA ZESIGER

9 MIREILLE ALFA

10 LARRY WALTHERS

11 BONNIE SCHULTZ

12 ALEX LEEDER

13

14 Staff:

15 LISA COOPER,
Executive Director

16

17 GLORIA ALEXANDER,
Office Manager

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19 DEBBIE BLASKO,
Bookkeeper

20

21 GWEN BELL,
Testing Administrator

22

23 ANGELA BROWN,
Inspector Level 1

24

25 SUSAN PADILLA,
Inspector Level 2

1 APPEARANCES: (continued)

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3 Office of the Attorney General:

4 JESSE WADHAMS,

5 Deputy Attorney General

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1 CHAIRWOMAN LEWIS: Good morning. The
2 meeting of the State Board of Cosmetologists is called
3 to order at 8:59. We're just a little early this
4 morning.

5 I want to thank all of you for coming out this
6 morning. It's just great to see you, so thank you for
7 being here.

8 We will begin with a role call. Board
9 Members?

10 MS. SCHULTZ: Bonnie Schultz, present.

11 MR. WALTHERS: Larry Walthers, Board
12 Member.

13 MS. ZESIGER: Linda Zesiger, present, Board
14 Member.

15 MS. ALFA: Mireille Alfa, Board Member,
16 present.

17 MR. LEEDER: Alex Leeder, Board Member,
18 present.

19 CHAIRWOMAN LEWIS: And Lavonne Lewis,
20 Board Chairman, present. And I really want to welcome
21 Alex --

22 MR. LEEDER: Thank you.

23 CHAIRWOMAN LEWIS: -- our new appointee.
24 Thank you very much for coming and participating.
25 We're very glad to have you.

1 MR. LEEDER: Thank you very much.

2 CHAIRWOMAN LEWIS: The staff that's
3 present?

4 MS. COOPER: Lisa Cooper, Executive Director.

5 MS. ALEXANDER: Gloria Alexander, Office
6 Manager.

7 MS. BLASKO: Debbie Blasko, Bookkeeper.

8 MS. BELL: Gwen Bell, Testing Administrator.

9 MS. PADILLA: Susan Padilla, Inspector Level
10 2.

11 MS. BROWN: Angela Brown, Inspector
12 Level 1.

13 MS. COOPER: Not present today is Pamela
14 Fitzgerald. She was in a car accident this morning.
15 She's okay, but she's probably not going to be able to
16 make it today.

17 Annie told us that she was going to make it
18 last week and she hasn't shown as of yet. We haven't
19 heard from her yet.

20 MS. ALFA: Okay.

21 CHAIRWOMAN LEWIS: Jessie?

22 MR. WADHAMS: Jessie Wadhams, Attorney
23 General's Office.

24 CHAIRWOMAN LEWIS: We can attest to the
25 fact that the Notice of this Board Meeting was posted

1 in all of the appropriate locations?

2 MS. COOPER: Yes, it was.

3 CHAIRWOMAN LEWIS: Thank you. We will
4 begin with consideration on approval of the agenda.

5 MS. SCHULTZ: I make a motion that we
6 approve the agenda.

7 MS. ZESIGER: I second.

8 MR. WALTHERS: Would you like some
9 deviations?

10 CHAIRWOMAN LEWIS: Modifications as
11 necessary, please.

12 MS. SCHULTZ: Okay. With modifications as
13 necessary.

14 CHAIRWOMAN LEWIS: And you second. And
15 it's been moved by Miss Schultz seconded by Miss
16 Zesiger that we approve the agenda with modifications
17 as necessary.

18 Is there question on the motion?

19 All in favor of the motion please say aye.

20 (Ayes.)

21 CHAIRWOMAN LEWIS: Any opposed? Motion
22 carries.

23 Next thing on the agenda is to welcome new
24 Board Members, but we already did that.

25 MR. LEEDER: Thank you.

1 CHAIRWOMAN LEWIS: Consideration and
2 approval of the minutes of the last meeting. Are there
3 any corrections to the minutes?

4 MS. COOPER: There's just a couple, like off a
5 character type of stuff. Does not change the content.

6 CHAIRWOMAN LEWIS: Okay. I noticed typos
7 and I also noticed we do have some questions what they
8 said are pending on these minutes. Good.

9 If no corrections to the minutes, may I have a
10 motion to approve the minutes as presented, please?

11 MS. ZESIGER: I make a motion to accept the
12 minutes as they are presented.

13 MS. SCHULTZ: I'll second.

14 MR. WALTHERS: With corrections.

15 MS. SCHULTZ: With corrections.

16 MS. ZESIGER: With corrections, sorry.

17 CHAIRWOMAN LEWIS: Moved by Miss
18 Zesiger, approved by Miss Schultz that we accept the
19 minutes as presented with corrections.

20 Is there a question on the motion? Any
21 comments?

22 All in favor of the motion please say aye.

23 (Ayes.)

24 CHAIRWOMAN LEWIS: Any opposed? Motion
25 carries. Thank you.

1 Consideration and approval of the Treasurer's
2 report.

3 MS. COOPER: We are still waiting for our
4 audit to come back from Barry & Stout. They were out
5 last week for more questions on our audit. We expect
6 to have this back in two weeks. We will then turn
7 around and give it to our accountant to make first the
8 end of year adjustments so we can start our new fiscal
9 year correct, and move forward from there.

10 So we're just waiting for adjustments.

11 CHAIRWOMAN LEWIS: All right.

12 MS. ZESIGER: So we'll have them for the
13 next meeting?

14 MS. COOPER: Definitely. As soon as we get
15 them we'll get them out to you guys so you can look
16 them over.

17 CHAIRWOMAN LEWIS: Next item on the
18 agenda is consideration and approval of the 2006
19 Budget. You have a draft in your information.

20 MS. SCHULTZ: I have a question. No offense,
21 Jessie, but how come we're paying him so much?

22 CHAIRWOMAN LEWIS: That's a very good
23 question.

24 MS. COOPER: Why are we paying you so
25 much, Jessie?

1 MS. ALFA: Because he deserves it.

2 MR. WADHAMS: Unfortunately, I have to bill
3 you when those collections come in, so I don't set the
4 rate. The Attorney General sets the rate and as
5 questions come in, they are billed appropriately.

6 MS. SCHULTZ: So any phone call you get, you
7 bill.

8 MS. COOPER: Are you going to bill me for our
9 phone call on Friday?

10 MR. WADHAMS: Probably, yes.

11 MS. COOPER: You shouldn't. You called me.

12 MR. WADHAMS: The legal field doesn't quite
13 work that way.

14 MS. COOPER: You called me about the
15 Superbowl.

16 MR. WADHAMS: I was asking if the meeting
17 was still on. I can take that off if you would like.

18 MS. COOPER: Thank you. I appreciate that.

19 MR. WALTHERS: I appreciate you, Lisa.

20 MS. SCHULTZ: I think we need to keep these
21 to a minimum then, these phone calls and stuff. If
22 there's a question, maybe we can just give Lisa a list
23 and she can make one phone call to Jessie. Because
24 this is really --

25 MR. WADHAMS: Something that we had -- I

1 had mentioned this to Lavonne. If it makes sense, you
2 guys can submit questions in writing. That would
3 probably -- then you would get back answers in writing
4 from me. It would probably be a much more -- first of
5 all, there wouldn't be a lot of confusion as to what
6 the answer was over the phone and it may -- I don't
7 know, it may save you some money. I don't know.

8 MS. SCHULTZ: With individuals making phone
9 calls, everybody is getting one side of the story here.
10 And if we have Lisa do all of the phone calling with
11 our questions, I think that we'll get a full package
12 that way.

13 MR. WADHAMS: I leave that up to you to
14 determine.

15 CHAIRWOMAN LEWIS: I think that part of the
16 reason for the estimate being so high was prior
17 Executive Directors spent a lot of time phoning the
18 Attorney General's Office.

19 And so I think that we will see a reduction in
20 that with Lisa being in the office much more aware of
21 what the decision should be as opposed to feeling a
22 compelling need to call and get some direction that's
23 maybe different from the discussion we have.

24 MS. COOPER: How about if we set a precedent
25 that every Thursday, if anybody has any questions

1 throughout the week, that you can either call me or
2 e-mail me. And on Friday, I will go ahead and send all
3 of those questions to Jessie, if by chance there is
4 something.

5 So every Thursday, just get me the information
6 that you need questions on. Every Friday I'll e-mail
7 it to Jessie.

8 I don't anticipate that we're going to be
9 doing that that much, but just so you know that you
10 have a tool to use.

11 CHAIRWOMAN LEWIS: And I don't know that
12 we want to preclude Board Members from calling the
13 Deputy Attorney General --

14 MS. SCHULTZ: No.

15 CHAIRWOMAN LEWIS: -- if they feel an
16 urgent need to do that. But many questions were
17 probably going back and forth at one point, and I think
18 that's the reason this estimate is so high based on
19 what we spent in prior years.

20 So we can leave that there, but we should
21 certainly use that with an awful lot of prudence.

22 MS. SCHULTZ: Definitely we need his opinion.
23 And I don't want to say every Thursday I'm going to
24 give you a message. Because I won't remember from
25 Tuesday to Thursday.

1 CHAIRWOMAN LEWIS: I'm going to have to
2 send it to you on Monday if I think about it on Monday.

3 MS. COOPER: As long as I have it by
4 Thursday, I'll do it by Friday. But just so you know,
5 I'm going to submit them on Friday.

6 CHAIRWOMAN LEWIS: Okay.

7 MS. ALFA: I have one question. Is the Budget
8 on the out-of-state travel and the in-state travel,
9 does that include Lisa going back and forth from Reno
10 to here? Because now we have that situation.

11 MS. COOPER: Yes, it is. It's all of our
12 travel.

13 MS. SCHULTZ: That's for Board Members, as
14 well.

15 MS. ALFA: Oh, I know that, but now you have
16 an extra expense going back and forth.

17 MS. COOPER: That was considered.

18 MR. WALTHERS: You added that 13,000 to
19 that for just your expense.

20 MS. COOPER: Yes.

21 MR. WALTHERS: That's pretty good.

22 MS. COOPER: We redid the entire Budget and
23 went over line item by line item again.

24 MS. SCHULTZ: Why do we have such a high
25 projection for office equipment?

1 MS. COOPER: Because we purchased the
2 whole office in Reno, the new furniture in Reno, that
3 was just about \$5,000. They purchased computer systems
4 here in the Las Vegas office, and we're projecting
5 maybe another computer in the Inspection Department.
6 That's what we were hoping for.

7 MS. SCHULTZ: Well, we have a proposed of
8 81,000. That's pretty high for a computer and some
9 desks.

10 MR. LEEDER: What figure?

11 CHAIRWOMAN LEWIS: What are you looking
12 at? I'm sorry.

13 MS. SCHULTZ: I see. I'm sorry. I'm looking
14 at the wrong line.

15 MS. COOPER: I was like wait a minute.
16 81,000?

17 MS. SCHULTZ: Got it. Okay.

18 MS. COOPER: Yeah. It's 8,000.

19 MS. SCHULTZ: Okay.

20 MR. LEEDER: I have a couple of questions,
21 Miss Chairman. On the credit card fees, we intend to
22 bring that figure substantially down, I would guess,
23 because that's a fee. So what are those?

24 MS. COOPER: When we use credit cards, we
25 get charged back. It's like the 3 percent or 2 percent

1 that you get charged for actually using a credit card,
2 the cost to have a credit card device. The processing
3 of the money, that gets charged back to us.

4 MR. LEEDER: It's our terminal, also?

5 MS. COOPER: Yes. If we use it for \$200,
6 2 percent of that goes to the housing.

7 CHAIRWOMAN LEWIS: So that we're paying.
8 \$4 for every \$200 we get.

9 MS. COOPER: Right.

10 CHAIRWOMAN LEWIS: You may want to.
11 Negotiate with the bank, because you can get that down
12 to half of 1 percent.

13 MR. WALTHERS: Right. That's high.

14 CHAIRWOMAN LEWIS: Right. Especially
15 being a State agency, we should be able to get that
16 reduced.

17 MR. LEEDER: We're probably contractually
18 bound.

19 MS. COOPER: Right. It depends on where we
20 are in the contract.

21 CHAIRWOMAN LEWIS: They may still reduce
22 that if we go back and talk to them.

23 MS. ZESIGER: Do we go through a bank?

24 MS. COOPER: We're going through Citibank
25 right now.

1 MR. WALTHERS: There's some private ones
2 that are a whole bunch cheaper. Because I run third
3 and sixth off mine at \$75 a month.

4 CHAIRWOMAN LEWIS: Really?

5 MS. ZESIGER: I didn't go through a bank,
6 either. Mine is a private company and I have a much
7 better rate.

8 MR. LEEDER: I also wanted to have just a
9 public clarification of the licenses and fees line
10 item. The 760.

11 This was a concern for me because we renew
12 our licenses every two years, and so I just want to
13 have a clarification of that figure, also. I brought
14 that to your attention earlier.

15 MS. BLASKO: The way it works is we just had
16 our renewal year. So the income from that will be
17 spread out over a two-year period. What will happen is
18 in July, if monies came in for the renewal period, it
19 gets added to the pot and then gets spread out over 24
20 months.

21 The next month, more might get added to the
22 pot, gets spread out over the 23 months, and that's how
23 it will progress through the period.

24 MR. WALTHERS: Is that also going to take in
25 consideration when we start changing to birthday dates

1 for licensure? So that's going make a difference.

2 MS. BLASKO: Well, we might have to do a
3 little different input with our accounting to keep that
4 from going into that pool, so to speak. So that that
5 will sort of work out as it should. We'll have to
6 watch that.

7 MR. LEEDER: And the figure on the proposed
8 budget takes into account this is a 12-month Budget but
9 that you've referred to a 24-month period of time.

10 MS. BLASKO: Right.

11 MR. LEEDER: Okay. So this is about half.

12 MS. BLASKO: Yes.

13 CHAIRWOMAN LEWIS: And it also takes into
14 account the fact that we actually got some of that
15 money in July of this year.

16 MR. LEEDER: All right. I also wanted to make
17 a note, too, that the contract services under the
18 operating expenses for the exams, that figure is
19 roughly half of the actual for the fiscal year '04/'05,
20 and that is because it was explained to me that if we
21 go under the descriptions under salaries, hired,
22 examiners, we find the other approximate half; am I
23 correct?

24 MS. COOPER: Yes, you are correct. We went
25 from Experior to NIC. Where Experior was our contract

1 service company, then we went to NIC who we contract
2 our information from, and then we hire our own raters.
3 We pay for our own raters.

4 MR. LEEDER: So we're identifying it more
5 clearly on our Budget now?

6 MS. COOPER: Yes, we are.

7 MR. LEEDER: I also wanted to make a note
8 that there is a Miscellaneous Operating Expense and an
9 Other Expense. And we're going to do away with the
10 Miscellaneous category now?

11 MS. COOPER: Yes, we are.

12 MR. LEEDER: And we're going to combine the
13 two amounts and preferably identify it a little more
14 clearly?

15 MS. COOPER: Well, if we change this, we're
16 going to have to take it to the next Board meeting,
17 right?

18 If we change this, do we have to take it to
19 the next Board meeting?

20 CHAIRWOMAN LEWIS: We can approve this
21 as it is with changes. So we can approve it with the
22 changes.

23 MR. LEEDER: And I'm not asking necessarily
24 to change it, but we don't have to use that category in
25 our bookkeeping.

1 MS. COOPER: Debbie and I and Alex had a
2 conversation yesterday, and we stated that we normally
3 would not like to use miscellaneous of any type. We
4 need to identify it. It's not good. Even in Other
5 Expenses, it needs to be identified.

6 CHAIRWOMAN LEWIS: And if necessary, we
7 can always add a line item.

8 MS. COOPER: You can always add a line item.

9 CHAIRWOMAN LEWIS: Are there any other
10 questions on the Budget?

11 MS. SCHULTZ: I would like to make a
12 motion that we approve the proposed Budget with the
13 changes that were mentioned.

14 MS. ZESIGER: I second.

15 CHAIRWOMAN LEWIS: Okay. It has been
16 moved by Miss Schultz, seconded by Miss Zesiger that we
17 approve the proposed Budget with the changes that were
18 mentioned, which were really to combine Miscellaneous
19 and Other.

20 So is there a question on the motion?

21 Any other comments?

22 All in favor of the motion please say aye.

23 (Ayes.)

24 CHAIRWOMAN LEWIS: Opposed? Okay.

25 Thank you. This has been a six-month proposition --

1 seven, actually. Glad that we could get that passed.

2 We have some information on the NIC meeting
3 that's proposed for Sun Valley. And do we have any
4 members who want to attend that?

5 MS. ZESIGER: I would like to attend.

6 MS. SCHULTZ: I think if we have new
7 members it would be a good thing for them to attend.

8 MS. ALFA: I didn't get that.

9 MS. COOPER: It would have been in your
10 second package that we sent out.

11 MS. ALFA: No.

12 MR. WALTHERS: I have a suggestion. I think
13 Lisa should very much attend. I think that would be
14 very good because she would be able to interact with
15 other administrators and it would help her in her new
16 position with just being able to do one-on-one with
17 other ones.

18 CHAIRWOMAN LEWIS: I think that's a good
19 idea.

20 MR. WALTHERS: Do you have the information
21 on that?

22 MS. COOPER: I do have the information.

23 MR. WALTHERS: Do you have an agenda?

24 MS. COOPER: I do.

25 MR. WALTHERS: Does it seem to be pretty

1 beneficial to Board Members?

2 MS. COOPER: I think it would be. I think I'm
3 really concerned about the safety and sanitation of the
4 foot baths and the infection control, very concerned
5 about that in our State. So I think any information on
6 that would be --

7 MR. WALTHERS: My suggestion then would
8 be Linda, and then if Alex would like to go too, just
9 because he's a new Board Member and he can see what's
10 going on. And my way is totally paid for, so the Board
11 doesn't have to come up with any money for that.

12 MS. SCHULTZ: And I don't want to go.

13 CHAIRWOMAN LEWIS: And I don't want to
14 go. I can't.

15 MS. SCHULTZ: Mereille, do you want to go?

16 MS. ALFA: I would love to, but I can't. I'm
17 always so busy.

18 CHAIRWOMAN LEWIS: Do you want to make
19 a motion that Lisa and Linda and Alex go?

20 MR. WALTHERS: Sure.

21 MS. ZESIGER: And Thomas Kelly, should we
22 present it to him as if he would like to go?

23 CHAIRWOMAN LEWIS: We could send this
24 out to him.

25 MR. WALTHERS: I can put it in a motion that

1 our two new Board Members, our Director and Linda go to
2 the conference with NIC on April 8th and 9th with the
3 other new fellow that's a new Board Member.

4 CHAIRWOMAN LEWIS: Is that your motion?

5 MR. WALTHERS: Yes.

6 CHAIRWOMAN LEWIS: Is there a second?

7 MS. SCHULTZ: I'll second.

8 CHAIRWOMAN LEWIS: Motion by Mr.

9 Walthers and seconded by Miss Schultz that our

10 Executive Director, Linda Zesiger, Alex Leeder and

11 Thomas Kelly, who is our other new Board Member attend

12 the NIC Regional Conference in Sun Valley, Idaho.

13 Is there a question on the motion?

14 All in favor of the motion, please say aye.

15 (Ayes.)

16 CHAIRWOMAN LEWIS: Any opposed? Thank

17 you.

18 MR. WALTHERS: You'll have to get right on

19 it because you're short of time, and I think all the

20 stuff has to be made through Deborah Norton in Little

21 Rock, Arkansas.

22 MS. COOPER: Right.

23 MS. SCHULTZ: We need to find out if Thomas

24 can go.

25 CHAIRWOMAN LEWIS: Right. Now we are

1 down to discussion and possible election of Officers
2 and specify an effective date to provide adequate time
3 for the necessary bank documents to be processed.

4 We need to Secretary/Treasurer since our
5 Secretary/Treasurer has resigned. The other offices'
6 period does not expire until July 1st based on our last
7 election so that we could elect those offices at our
8 regular meeting in April or June.

9 But we do need to elect a Secretary/Treasurer
10 and get the paperwork started so that she can proceed
11 to be the second -- or he, I'm sorry -- she or he can
12 be the second signatory on the checks.

13 MS. SCHULTZ: I'll make a motion that we
14 nominate Linda Zesiger.

15 MS. ALFA: I'll second it.

16 CHAIRWOMAN LEWIS: Okay. Anybody want
17 to move nominations be closed?

18 MR. WALTHERS: I'll make a motion we close
19 nominations.

20 CHAIRWOMAN LEWIS: We have the
21 nomination of Linda Zesiger. The nominations have been
22 closed. Therefore, the Chairman will cast a unanimous
23 ballot for Linda Zesiger since she's the only nominee.

24 Now, in order to change the signatory on the
25 bank accounts, we have to have either the entire

1 minutes or certainly a page from the minutes that would
2 indicate that this has taken place at this Board
3 Meeting.

4 So if we could talk to the stenographer and
5 ask her when she thought she could get us a typewritten
6 page that would indicate that this action has taken
7 place at this meeting?

8 COURT REPORTER: You tell me when you
9 need it by.

10 CHAIRWOMAN LEWIS: By the end of the
11 week could we get that page?

12 COURT REPORTER: Yes.

13 CHAIRWOMAN LEWIS: Thank you. We can
14 get that much and then we can attest to that and we can
15 get the process started next week with the signatories.
16 Is that agreeable to the Board?

17 (All indicate affirmatively.)

18 CHAIRWOMAN LEWIS: Okay.

19 MS. SCHULTZ: I would like to at this time,
20 since Linda is being moved into that position,
21 recommend that we take her off of the Hearing Officer
22 and maybe let our new Board Member do that.

23 MR. LEEDER: That would be fine with me.

24 MS. SCHULTZ: We can mail it up to him and
25 he can send it back, or Lisa can take it up.

1 MR. LEEDER: If it minimizes our expenses,
2 makes your job a little easier, I'll be happy to take
3 that responsibility on.

4 MS. ZESIGER: You'll enjoy it.

5 CHAIRWOMAN LEWIS: Okay. I will appoint
6 Alex as our new Hearing Officer. Good. And we will
7 work out the logistics of getting you the information
8 and arrange whatever trips may be necessary for you to
9 get that done.

10 And we will still have -- if Linda can be a
11 backup just in case there's some extra work needed, we
12 won't do anything about that at this time.

13 We are into our formal complaints and they're
14 actually supposed to start at 10:00. We're a little
15 ahead of schedule, so I don't know whether we want to
16 take a -- I will see if they're here.

17 MS. COOPER: Pam is not here.

18 CHAIRWOMAN LEWIS: Can somebody else
19 represent Pamela in terms of the discussion about what
20 happened?

21 MS. COOPER: Yes.

22 CHAIRWOMAN LEWIS: Okay. Now, Leticia
23 Sedano and Elizabeth Llamas here? They're not here.
24 We will move that to 10:00.

25 Why don't we have a ten-minute break and

1 then we will move -- we'll skip down to the bottom of
2 the agenda and then come back to these hearings unless
3 some of the people are here.

4 MR. WALTHERS: We're going to 19A, B and C
5 so you're prepared.

6 CHAIRWOMAN LEWIS: We'll take a
7 ten-minute break until 25 minutes to 10 and then we'll
8 come back and we'll go through that other part of the
9 agenda.

10 (Recess taken 9:24 a.m.)

11 (Meeting reconvened at 9:37 a.m.)

12 CHAIRWOMAN LEWIS: We'll call the meeting
13 back to order and we will have skip down to Item Number
14 19 on the Agenda.

15 MS. COOPER: All right. I was asked by a
16 Board Member to review the last order chart that we
17 have on file and attached that.

18 MR. LEEDER: Just real quickly, Gloria, you
19 feel comfortable answering those eight or nine
20 employees' concerns and questions?

21 MS. ALEXANDER: Yes.

22 MR. LEEDER: I'm just saying that you're
23 responsible for quite a bit now as the Office Manager.

24 MS. ALEXANDER: Oh, yes. Yes.

25 MR. LEEDER: You recognize that they do

1 need to come to you before moving past you.

2 MS. ALEXANDER: Yes, I do.

3 MS. COOPER: And my policy as a Supervisor
4 is always an open door. If they can't find resolution
5 with Gloria, they can come to me. If they can't find
6 resolution with me, they can go to the Board to the
7 Personnel Committee which we'll get into, as well.

8 CHAIRWOMAN LEWIS: But the one thing that
9 employees need to realize is that they should only come
10 to the Board after they have some written discussion
11 with you or something. They can't be calling up the
12 Board for anything.

13 MS. COOPER: I'm sorry?

14 CHAIRWOMAN LEWIS: I said they should not
15 be going to the Board to go over or around the
16 Executive Director. The Board is as a last resort.

17 MR. WALTHERS: Or the Office Manager.

18 CHAIRWOMAN LEWIS: That's what I mean,
19 or individual Board Members.

20 MS. COOPER: Okay. So do you want to go
21 over the old chart or are you okay with that?

22 MR. LEEDER: Looks good.

23 MS. COOPER: I will change it to reflect what
24 it needs to, but that was in one of our meetings that
25 we didn't want to continuously change things without

1 everybody knowing it.

2 So we'll accept this and make the necessary
3 changes.

4 MS. SCHULTZ: Do we know how long Annie
5 is going to be out?

6 MS. COOPER: We don't. We invited her to
7 see if she could come. She let us know she would be
8 able to be here, but apparently her husband is no
9 longer in the Rehabilitation Center, he went back to
10 the hospital again.

11 CHAIRWOMAN LEWIS: He did?

12 MS. COOPER: Yes, he did. So we were going
13 to get ahold of her this morning to see where things
14 are.

15 MS. SCHULTZ: The reason I'm asking is
16 because who's filling the Chief Inspector spot?

17 MS. COOPER: Gloria.

18 MS. SCHULTZ: Is Gloria handling all of it?

19 MS. COOPER: No, she's not. Susan has
20 stepped up as a lead person for us to try and bridge
21 the gap between Gloria and Susan. They've really been
22 working together to get us through this.

23 CHAIRWOMAN LEWIS: So Susan is filling
24 that role at the moment?

25 MS. COOPER: Susan is filling the role of

1 basic day-to-day tasks. Gloria is filling the role of
2 the personnel issues.
3 MS. SCHULTZ: And Susan is doing the
4 assignment or is Gloria?
5 MS. COOPER: Susan is doing the assignments
6 at this time.
7 MR. WALTHERS: And we are not falling
8 behind on inspections?
9 MS. COOPER: We are not falling behind.
10 We're current on all inspections and we're doing good.
11 MR. WALTHERS: Okay.
12 MS. SCHULTZ: Good job.
13 MS. COOPER: We received 2,900 --
14 CHAIRWOMAN LEWIS: Okay. Let me ask
15 you a question.
16 MS. COOPER: Okay.
17 CHAIRWOMAN LEWIS: I see we do have the
18 Reno people on here. That's what I was looking for.
19 Thank you.
20 MS. COOPER: Okay.
21 MS. SCHULTZ: Now, on the Reno people, Jill
22 is just office, right?
23 MS. COOPER: Right.
24 MS. SCHULTZ: So we have two field in office
25 here. Is that because you intend to hire somebody or

1 no?

2 MS. COOPER: This was the last one. I don't
3 believe we intended to hire anybody.

4 MS. SCHULTZ: I think you said no on the last
5 meeting.

6 MS. COOPER: The last meeting was no, so we
7 will make that correction. And then Jill basically
8 directs to me, so I was just going to put her off to
9 the side.

10 CHAIRWOMAN LEWIS: So you need kind of
11 a line over here on the side that says --

12 MS. COOPER: Jill.

13 MS. SCHULTZ: -- Reno Office Assistant
14 Manager, Administrative Assistant.

15 CHAIRWOMAN LEWIS: That's one additional
16 person that we don't have on here.

17 MS. COOPER: Correct.

18 MS. SCHULTZ: Well, we're eliminating one,
19 though.

20 MR. WALTHERS: Right, because we don't have
21 two field personnel.

22 MS. SCHULTZ: Okay.

23 MS. COOPER: Okay? Any other questions?

24 We received \$2,998 from Apple 1. It was deposited on
25 December the 20th of '05. That was the refund for the

1 head hunter fee for Amy Tanner.

2 Once again, the other \$6,000 is still on
3 credit with Apple 1, and that was --

4 CHAIRWOMAN LEWIS: On credit if we want
5 to use them again?

6 MS. COOPER: It's on credit if we need a head
7 hunter.

8 MR. LEEDER: Indefinitely?

9 MS. COOPER: Indefinitely.

10 MR. LEEDER: We have that in writing?

11 MS. COOPER: Yes, we have that in writing.
12 That will always be on our account. Okay?

13 Last month we had a work -- or actually, at
14 the beginning of this month we had a workshop with --
15 last month. January. We're in February.

16 CHAIRWOMAN LEWIS: Speak up a little.

17 MS. COOPER: In January we had a PERS
18 workshop. So basically what PERS is is our Public
19 Employees Retirement Fund. We have two options as
20 employees of the State; one is employee/employer
21 contribution and the other is employer only.

22 The employee/employer contribution is paid
23 50/50, half by the employee out of their paycheck and
24 half by the State Board when we report our monies.

25 There were some employees that were

1 employee/employer and the employer paid all the
2 benefit, nothing was taken out of the employee fund --
3 paycheck.

4 In going back through all of January -- or all
5 of last year, of 2005, there's been -- the actual third
6 page is the findings of the current employees that owe
7 us money, and the former employees that owe us money,
8 and the employees that we owe money to. That's where
9 this plays.

10 They were employee/employer, and they
11 either moved to employer only, but while they were
12 under the employee/employer status their monies were
13 incorrectly taken out, their monies were not correctly
14 taken out. We have a couple of current employees that
15 have some monies here.

16 What happened is in January -- or I'm sorry,
17 in July we had the retro paychecks. No PERS was taken
18 out of those retro paychecks. So we do have some
19 employees that were on the employee/employer plan that
20 did not get that monies taken out.

21 We have some monies from incorrectly
22 calculated payrolls that were not correctly reported to
23 PERS, and that's where some of this money is coming
24 from.

25 Other monies were not taken out at all.

1 CHAIRWOMAN LEWIS: Even though they had
2 signed up for it to be taken out?

3 MS. COOPER: Even though they had signed
4 up for employee/employer, their monies were not taken
5 out at all from their paycheck.

6 So I've given you a breakdown of who owes
7 Nevada State Board of Cosmetology money and how much
8 they owe, and that total comes up to \$1,686.

9 And then the current employees that we owe
10 monies to is \$492 and change.

11 Down below I explained what happened with
12 their monies as far as, Number One, there was some
13 money at the beginning taken out of that person's
14 paycheck and then it stopped. And then on that
15 last -- on that person's paycheck, the last paycheck
16 there was \$100 taken out of it.

17 CHAIRWOMAN LEWIS: Okay. Well, probably
18 most of this is kind of personnel issues. So you'll
19 fix it?

20 MS. COOPER: We'll deal with the personnel.
21 Okay.

22 MS. ZESIGER: Can I ask a question? Why do
23 we have some that were paid part of and why do we have
24 others that were paid all of?

25 CHAIRWOMAN LEWIS: Depending on what

1 they elect. If we pay part of it, they pay less money.

2 MS. COOPER: After five years of 50/50
3 they're vested. They get the full amount that's put
4 into their pension plan. Prior to five years they only
5 get to keep their portion. Longevity is the key.

6 So if you are an employee only, which, for
7 example, I'm an employer only, I don't pay any money
8 into my PERS. But in five years, all of the money that
9 the Board has put in there for me is mine. It's
10 basically within a 1 or 2 percent rate difference.

11 MS. BLASKO: The employee/employer is ten
12 and a half to ten and a half, so 21 percent is going
13 into PERS. If it's employer only, it's 19.5 percent.
14 That was changed in July.

15 MR. LEEDER: So we're talking about
16 approximately \$2,100. What is the recommendation from
17 staff that we do with that?

18 MS. COOPER: Well, we can pursue it actively.
19 Actually, Gloria has a response to one of the people.
20 The third one down.

21 MS. ALEXANDER: Yes. I know that that
22 person did make payments in the beginning and they were
23 done by check, so I'm sure she had copies of her
24 checks. I don't think she owes that.

25 MR. LEEDER: Each of those individuals

1 realize it was merely a bookkeeping error and have they
2 stepped up to say I'm going to correct it by paying it?

3 MS. COOPER: One of the people on here, the
4 top one --

5 MR. LEEDER: Has had difficulty with that?

6 MS. COOPER: She is no longer with us. But
7 it was set up that way. It was done that way from the
8 beginning. The other people are -- well, except for
9 the one that we owe, the Number One on the second list,
10 that person had \$300 taken out of their last check, and
11 this is the refund of it because they knew that we
12 would be auditing this.

13 MR. LEEDER: I would suspect that we should
14 pay the people back that have overpaid promptly,
15 because that would be the right thing to do.

16 And then we still want to try to collect if
17 it's been discussed with -- there are six people there,
18 and they all are aware of it?

19 MS. COOPER: No, they aren't as of yet.

20 MS. SCHULTZ: They need to be given some
21 kind of a payment plan. I mean, one of these -- 400
22 bucks is, you know, it's hard for a person to come up
23 with it.

24 MS. COOPER: That's the one that's paid.
25 That's the one that's paid.

1 MS. SCHULTZ: I'm surprised. That's the best
2 one on there then.

3 MS. COOPER: That's the one that's paid.

4 CHAIRWOMAN LEWIS: I think that Miss
5 Schultz's suggestion is appropriate that we set up a
6 payment plan for the people who owe us so they can pay
7 over two or three or four pay periods, whatever is
8 necessary.

9 MS. COOPER: Okay. Very good.

10 CHAIRWOMAN LEWIS: And that we refund
11 the money to the people we owe money so we can get this
12 cleared off.

13 MS. ZESIGER: What do you do with the former
14 employees?

15 CHAIRWOMAN LEWIS: The former employees
16 that we owe money we should pay.

17 MS. ZESIGER: What about the ones that owe
18 us?

19 CHAIRWOMAN LEWIS: We should attempt to
20 contact them and collect that money.

21 MS. COOPER: That's further down. Thank you
22 for opening that door. All employees' deductions are
23 correct going forward. All employees are set up in the
24 State system now.

25 We were having trouble with the employees

1 receiving their benefits card, their benefits; all of
2 that has since been corrected.

3 Vacation and sick balances, they are still
4 incorrect on the paychecks. We have been working with
5 ADP to get those corrected. We do know what their
6 balances are. We do have an account of their balances.
7 And going forward, we hope to have all the vacation and
8 the sick balances corrected on their paycheck stubs by
9 March 1st payroll, which is very important.

10 MR. LEEDER: But are we going to run into a
11 difficulty again similar to this PERS issue where
12 somebody is owed or somebody is owing?

13 MS. COOPER: No. We went back through and
14 audited 2005.

15 MR. LEEDER: So none of the current
16 employees will -- they all understand that we're fixing
17 it?

18 MS. COOPER: Yes, they do.

19 MR. LEEDER: And we shouldn't run into a
20 financial obligation as a result, it's just merely
21 time?

22 MS. COOPER: Right, correct.

23 CHAIRWOMAN LEWIS: It should be
24 calculated appropriately by the payroll system if it's
25 set up correctly.

1 MS. COOPER: That's what the issue was.

2 CHAIRWOMAN LEWIS: That has been the
3 problem. Then, of course, people perhaps changing the
4 setup after it has gone in.

5 So what should happen with the data
6 processing payroll system is, once it's set up, even if
7 the person gets a pay raise, the calculated amount
8 should be correct that would be taken out of their
9 paycheck because it's on a percentage basis.

10 MS. COOPER: Correct. So, yes, going forward,
11 PERS are all set up correctly. The employees benefits
12 deductions, they're all set up correctly. And every
13 month we get an update as to who needs a change or
14 whatever their calculations will be.

15 Vacation and sick time is a big issue because
16 it was completely set up wrong. Just as a quick
17 example, my paycheck told me that I had 42 hours of
18 sick time. When I thought that I had 42 hours of sick
19 time, I got my kidney stones that week. I was off for
20 three days. I turned in my time card as sick time and
21 my pay got docked. And I said, "Well, I had sick
22 time," and I was told, "That's incorrect. What are you
23 doing looking at that?" But nobody had told me it was
24 incorrect.

25 So when you have an employee that's going to

1 get sick and they look at their paycheck stub, they
2 should know what they have. They should be on the
3 books.

4 CHAIRWOMAN LEWIS: And it should have
5 been set up that way. Because we calculated the
6 accruals based on twice a month payrolls and that's
7 what's in the personnel files.

8 MS. COOPER: Correct. They were never set
9 up right. Correct. So the '04/'05 audit, the field
10 audit has been completed as of 1/10. We have not
11 received the audit from Barry & Stout. As of the 31st
12 we still have not received it. Two weeks out,
13 hopefully.

14 '05/'06, first quarter, waiting for Barry &
15 Stout audit adjustments so we can start off our new
16 '05/'06 years correct with the correct adjustments.

17 We have not heard from the Legislative
18 Council Bureau regarding our not turning in our audit
19 as of yet. I'm going to call them while I'm down here
20 today or tomorrow, this afternoon or tomorrow.

21 CHAIRWOMAN LEWIS: Maybe we should let
22 sleeping dogs lie.

23 MR. LEEDER: Oh, no.

24 CHAIRWOMAN LEWIS: We told them that we
25 were late with the audit so they know.

1 MS. COOPER: They know.

2 MR. LEEDER: But we also want to not let this
3 happen in 2006. So we know that the deadline is
4 December 1st of 2006.

5 MS. COOPER: Yes. We are --

6 MR. LEEDER: And you close your year June
7 30th?

8 MS. COOPER: June 30th. We'll probably get
9 our bank reconciliation mid July, we'll have that done
10 and out to the accountant to get his final audit and
11 then we should have our stuff off to Barry & Stout by
12 end of August, beginning of September at the latest.

13 CHAIRWOMAN LEWIS: And there were
14 efforts made, at least by the Board, to do that this
15 year, it just didn't happen.

16 MS. COOPER: It will happen.

17 MS. ZESIGER: We're on track now?

18 CHAIRWOMAN LEWIS: We're on track now.

19 MS. COOPER: IRS 2004 issues have been
20 amended. We have sent out the corrected W-2s that we
21 had stated before.

22 We have not received refunds from the IRS for
23 the following: 2003, 2004 and 2005 with those totals.

24 MR. LEEDER: So I just had a question on two
25 of these. Now, where is that reflected in your Budget

1 that you're waiting -- that you have an accounts
2 receivable?

3 MS. COOPER: We don't have that in the
4 Budget.

5 MR. LEEDER: And then where was the \$6,000
6 from Apple 1 in the Budget? That's just on hold?

7 MS. COOPER: That's on our account. That's a
8 credit on account.

9 MR. LEEDER: Is it under Income or Revenue?

10 MS. COOPER: No, you would have put that in
11 as --

12 CHAIRWOMAN LEWIS: That's not money.

13 MS. COOPER: It's not like we can liquidate
14 it. It's not --

15 CHAIRWOMAN LEWIS: We can never get the
16 money for that. It would be a reduced expense if
17 anything in terms of hiring.

18 MR. LEEDER: So it's already been expensed?

19 MS. COOPER: Yes, it has.

20 MS. ZESIGER: Why have we not received that
21 from the IRS?

22 MS. BLASKO: I just spoke to them at the end
23 of last week, and it's tax season, and they're very
24 slow. And she said that it appears that someone has
25 been doing something with it. She doesn't know what.

1 And I said, "Well, I'm just calling back like
2 I was told so we don't have a problem." And she said,
3 "Well, I'll put everything on hold for another 45 days.
4 Just call back before that." And I said, "Okay." It's
5 on my calendar, so I'll just stay abreast of it until
6 we see them resolve it.

7 MS. ZESIGER: Okay.

8 MS. BLASKO: That's the IRS.

9 MS. ZESIGER: When we owe them, they want
10 it.

11 MS. BLASKO: Of course.

12 MS. COOPER: The telephone system in Las
13 Vegas. We have gotten it solved as to going directly
14 to voice mail. There was some programming issues that
15 the IT people thought were very odd. They said -- his
16 direct quote was, "I've never seen a phone system
17 programmed this way." That's why nobody found it is
18 because they never programmed it this way.

19 So that's what his answer was.

20 CHAIRWOMAN LEWIS: Now, does that mean
21 that we now have enough lines coming in?

22 MS. COOPER: It does not. We're going to be
23 adding some lines. We can add two lines to be coming
24 in so we can expand it that route.

25 MS. ZESIGER: Then people won't complain

1 that they couldn't get through.

2 MS. COOPER: The other problem is that our
3 voice mail system only allows two people in it at a
4 time instead of like a four or a six. It goes in
5 two's, so it only allows two people in.

6 So if somebody is checking their voice mail
7 and somebody got sent to voice mail, our line will
8 appear busy.

9 So that's where the problems come in, too, is
10 if -- and the other thing, too, is if any of the Board
11 Members come in, you can always hit pound. Even if it
12 says just hit pound, hit pound and then you can dial
13 into an extension. Okay? And we'll get you an
14 extension list, as well, along with your new contact
15 numbers.

16 MR. LEEDER: That's a good cheat sheet for
17 public record.

18 MS. COOPER: Hit pound with the extension.

19 MS. ZESIGER: But they don't know
20 extensions.

21 MS. COOPER: Outstanding payroll with
22 Experior. We received a bill for \$90,000. After I had
23 a coronary and started investigating it, it's not true.
24 We only owe for January, February and March of '05.
25 It's just under \$50,000.

1 We are working with Experior to get that
2 resolved. We're asking for a little more detailed
3 backup because they did, in fact, charge us for June,
4 July and August, which they didn't test for us in those
5 months.

6 So I'm a little concerned of just paying a
7 bill blind, especially since they billed us --

8 CHAIRWOMAN LEWIS: Do we really know
9 that we owe for January, February and March?

10 MS. COOPER: I do know we received bills and
11 I do know we did not pay bills in those months for
12 Experior, so reasonable deduction would say yes, they
13 need to get us some detailed backup before we go ahead
14 and pay those.

15 MR. WALTHERS: With Experior, make sure
16 you have the detailed backup.

17 MS. COOPER: They've changed their
18 computer systems twice since then, so yeah.

19 MR. WALTHERS: That's because they've been
20 sold twice since then.

21 MS. COOPER: Okay. There you go.

22 Workman's Compensation issue. Our
23 Workman's Comp lapsed 7 of '05.

24 MR. LEEDER: And did anybody have to use
25 that?

1 MS. COOPER: No, thank goodness.

2 CHAIRWOMAN LEWIS: No, thank the Lord.

3 MS. COOPER: A cancellation notice was sent
4 out in May of '05 notifying us of a cancellation and
5 insurance was not put in place. It has since been put
6 in place.

7 We're currently with Wegner Levitt Insurance
8 Agency.

9 The Personnel Committee. Since Gloria was on
10 the Personnel Committee and is no longer, are we going
11 to continue that?

12 CHAIRWOMAN LEWIS: I think so, yes.

13 MS. COOPER: Do we want to take votes?

14 MS. SCHULTZ: For -- we're not --

15 MS. COOPER: For the Personnel Committee.
16 Pardon?

17 MS. SCHULTZ: I don't think we need to worry
18 about it until we start hiring again.

19 CHAIRWOMAN LEWIS: Personnel Committee
20 would handle any personnel issues that got to the point
21 of coming to the Board so that the Committee was to be
22 a functioning, standing Committee of the Board. And
23 who's on it?

24 MS. COOPER: Gloria, Linda and Lavonne.

25 MR. LEEDER: I would be happy to sit on that

1 as a standing Committee. I would expect that the
2 issues would be resolved long before they got to me
3 anyway.

4 MS. SCHULTZ: I think if it can't be resolved
5 by Lisa, they need to come before the Full Board.

6 MR. LEEDER: Why take all seven of us?

7 CHAIRWOMAN LEWIS: The issues may well
8 come before the Full Board. It was just that this
9 Committee would be an interim or would be a first stop
10 with some recommendations that they would make to the
11 Board.

12 For instance, the Board may not be want to sit
13 and listen to a four-hour of back and forth
14 presentation from an employee or something, and the
15 Committee would just serve to condense that information
16 and make a recommendation then to the Board for some
17 final decision-making.

18 It's a Review Committee. And also, the
19 Committee would be the one that would review personnel
20 policies, et cetera, et cetera to make those
21 recommendations to the Board.

22 MS. SCHULTZ: I think that gives them an out
23 not to listen to Lisa.

24 CHAIRWOMAN LEWIS: It does not. Because
25 the Committee should at all times check to see if they

1 have gone through that whole process, what the solution
2 has been or the recommended solution has been at that
3 point, and refer them back to their supervisor if they
4 have not gone through that whole chain of command.

5 And Alex, you're volunteering to be a Board
6 Member?

7 MR. LEEDER: That would be fine. Sure.

8 CHAIRWOMAN LEWIS: They will not make
9 any decisions that were not Full Board disciplined.
10 They certainly will not.

11 MR. WALTHERS: I agree with Bonnie. I don't
12 think we need that Committee.

13 MS. ZESIGER: If we know -- if we listen to
14 them and we think it's a good reason and we all agree
15 to it and it comes to the Board, that's one thing. But
16 I think that sometimes things just kind of get out of
17 hand and people want to vent, too. And if they're
18 tired of -- they're not getting through the office --

19 MS. SCHULTZ: I think they should be able to
20 vent to the whole Board. They should listen to the
21 supervisors. If they can't deal with their supervisor,
22 then they need to take the door.

23 MR. LEEDER: I think it provides them with
24 an avenue. I think -- for instance, in the event
25 that -- the Page 3. Once that were to happen again, if

1 for one reason or another the recommendation from their
2 supervisors were that they would have to have an
3 immediate writing of a check, it might be the
4 Committee's position that they have that extended over
5 some time.

6 So I think it's just another avenue for the
7 employee to be able to express their concerns.

8 MS. SCHULTZ: I disagree, but whatever.

9 CHAIRWOMAN LEWIS: And most Boards,
10 including Advisory Boards, have Personnel Committees as
11 a standard operating Committee just to facilitate the
12 kind of personnel issues that end up before the Full
13 Board. That's primarily what this Committee would do.

14 MS. SCHULTZ: That's fine. That's fine.

15 MR. WALTHERS: I think it makes Lisa and
16 Gloria's job a little tougher. That's my personal
17 opinion.

18 MS. ZESIGER: Makes it harder?

19 MS. SCHULTZ: Sure.

20 MR. WALTHERS: Sure. Because to me, what
21 happens when you have that situation, you have a
22 situation where they don't want to listen to Gloria and
23 then they don't want to listen to Lisa, and so they go
24 completely around, say they want to talk to the
25 Personnel Committee, and then the Board.

1 MS. ZESIGER: Maybe they'll be tired by then.

2 MR. WALTHERS: Not necessarily, because I
3 think that's happened a lot in the last couple years.

4 CHAIRWOMAN LEWIS: I don't think that we
5 have an office environment that's going to have these
6 kinds of issues coming up very regularly.

7 MS. COOPER: My concern is that an employee
8 will go around and talk to Alex and get what Alex
9 wants, because they're going to call you direct.

10 MR. LEEDER: I don't think that's the chain of
11 command.

12 CHAIRWOMAN LEWIS: They don't call me
13 direct because I generally refer everybody back to
14 their supervisor.

15 MS. COOPER: I think that I have been a fair
16 person to deal with. I think that I'm open to new
17 ideas and such.

18 MS. ZESIGER: Well, if they can't reach you --
19 okay, let's say whatever is happening with you, okay,
20 and if Alex, Lavonne and I say you have to meet with
21 all of us, then there's not any -- well, Alex said
22 this. How come you said that? Lavonne told me this.
23 So they have to meet with the three of us.

24 MR. LEEDER: It's important for you to have a
25 sounding board, too. You may feel you've reached the

1 end of your -- it's nice for you to feel you have some
2 reinforcement or some support from the Board.

3 CHAIRWOMAN LEWIS: And that's one thing
4 that this Committee can do, particularly where we may
5 be looking at some adverse action, I guess, against an
6 employee. At least you have some additional people
7 that you can bounce that off of.

8 MS. COOPER: Okay.

9 MR. LEEDER: I think that those Board
10 Committee Members know full well that staff should be
11 managing the day-to-day personnel issues.

12 MS. COOPER: Yes.

13 MS. ALEXANDER: Okay. Good.

14 CHAIRWOMAN LEWIS: Can we quickly get
15 through the rest of this so we can go back up?

16 MS. COOPER: Yes. That goes with the
17 Personnel Committee. I'll get with Alex, Linda and
18 Lavonne.

19 CHAIRWOMAN LEWIS: Yes.

20 MS. COOPER: And we will get together and
21 discuss some of the things that are on there.

22 CHAIRWOMAN LEWIS: And do whatever
23 things that you feel are necessary to resolve this.

24 MS. COOPER: Okay. Currently, we're current
25 on all inspections. First inspections are current. We

1 brought in 13,450 paid-in citations from December the
2 16th to January the 27th. I'm sorry. Three-month
3 rotation on all inspections.

4 CHAIRWOMAN LEWIS: Not 63? We'll make
5 that note.

6 MS. COOPER: 63 citations issued for
7 December and January. Currently working on Complaints.
8 Currently working on out-of-country documents. And
9 putting a system in place for collections.

10 We're going to be utilizing GL Suites for our
11 collections. We can do it. They can manage our
12 database. We can put the letters that we need to in
13 place. Have a first, second and third, and then after
14 the third we were -- current letter that we have says
15 that we're going to be turning them over to the AG's
16 Office. We're going to be turning these people over to
17 the AG's Office.

18 Currently is that reasonable, or do we want to
19 go to a collection agency?

20 MS. SCHULTZ: If they're licensed we can take
21 them to a collection agency. If they're not licensed
22 they have to go to the AG's Office, don't they? Or do
23 they go to you both?

24 MR. WADHAMS: I think on licensed you can
25 send them to a collection agency. I think unlicensed

1 they have to be sent.

2 MR. WALTHERS: On the licensed I don't think
3 the AG's Office is going to want to hear it.

4 MS. COOPER: So we should send them to a
5 collection agency.

6 MR. WALTHERS: It will cost us a lot less to
7 send it to a collection agency.

8 CHAIRWOMAN LEWIS: We don't want to pay
9 \$150 an hour to get that collected.

10 MS. COOPER: You're going to check and see
11 if we can send unlicensed?

12 MR. WADHAMS: Yes.

13 MS. COOPER: Get back to me by e-mail,
14 please.

15 MR. LEEDER: There's a system in place if
16 somebody has an outstanding citation that they are not
17 going to be reissued a license?

18 MS. COOPER: No. We are totally revamping
19 our computer system, so we will get there.

20 MR. LEEDER: Is there a manual check before --

21 MS. COOPER: No, not currently. There's very
22 little in place right now for all of that.

23 MS. ZESIGER: That's what we decided was
24 there's like close to 15 to \$20,000 out in citations
25 that people have been reissued licenses and have not

1 come in front of the Board, and that needs to be
2 addressed.

3 MS. COOPER: Yes. And with our new
4 computer system, we're taking all of that into account.
5 It's not in your -- we're still using GL Suites, we're
6 just programming it to make it work for us.

7 CHAIRWOMAN LEWIS: That's great that we
8 can do that. And let me comment. Has anybody seen the
9 file room? Has anybody seen the file room? Let's give
10 a big round of applause for the file room.

11 (Applause.)

12 CHAIRWOMAN LEWIS: Believe me. I went
13 in there yesterday and I screamed. I have complained
14 about that file room for two years.

15 MR. WALTHERS: I thought it was a whole
16 different room.

17 MS. ALEXANDER: We were backed up putting
18 stuff away and we were here.

19 CHAIRWOMAN LEWIS: I've been screaming
20 about that. That's great.

21 MS. COOPER: Okay. We are still going
22 forward with the renewal of birth dates for '07.

23 Implementing new technology for the
24 Inspection Department. That includes the citation
25 issues and all of that stuff.

1 Integrating Peel into Peel Tech scanning with
2 GL Suites. Been talking to GL Suites about Peel. They
3 can actually take our image file that we get from Peel
4 and attach it to our file in GL Suites. So when we go
5 into anybody's file, we can find their documents that
6 were scanned, and going forward we can keep a history
7 every year. It would be like '05/'07, '07/'09.

8 So going forward from there so we can always
9 continue to update our system with the image documents.

10 GL Suites currently scans our renewal system
11 anyway because they scan it all in and then change the
12 information, whether it be last name change, address
13 change, salon change, phone numbers, that type of
14 thing. So they're already scanning it, they're just
15 going to be plugging it into our system now. And that
16 won't cost us anything right there.

17 MS. SCHULTZ: Can we scan the citations for
18 the file, as well?

19 MS. COOPER: Actually, what we're going to
20 be doing for that is we're going to be putting them in.
21 It's going to be a whole system that we're going to
22 build.

23 We're going to be putting them in, eventually
24 like our four-year plan, that the Inspectors will have
25 laptops and they can go in, put in whatever salon,

1 they'll be able to scan -- we'll put a bar code on all
2 of the licenses.

3 They'll be able to scan it and it will
4 automatically pull up this salon and who is attached to
5 that salon and who should be working there.

6 If they find somebody that isn't on their
7 list, then we should know that. If they go -- you
8 know, they have 30 days to notify us where they are, so
9 we'll be able to keep track of the people that way.

10 There's a whole system -- once we get into
11 that, then they'll be able to just write out a citation
12 from the computer. But yes, we can integrate.

13 CHAIRWOMAN LEWIS: They will be able to
14 scan in -- should be. With the Peel system they should
15 be able to scan the citations right into the file of
16 the particular shop.

17 MS. SCHULTZ: Of the individual?

18 CHAIRWOMAN LEWIS: Of the individual or
19 the shop, yes.

20 MS. COOPER: We'll be able to get all of that
21 done, as well.

22 That's pretty much all that I have. I
23 attached the just basic memos that we have sent out
24 throughout the month with different things.

25 We had some issues with keeping track of

1 mileage. I know since I've been here that's been a
2 huge thing. Everybody is always saying well, how much
3 mileage are they using, how much this, how much that.

4 Now, we have a system in place when they
5 stop, when they start, when they stop, when they start.
6 We take out their lunches. If it's over a mile or
7 two miles, we take out their driving time. So we keep
8 track of it a different way and it's more accurate.

9 Anybody that needs to look at it can say yes,
10 this is accurate. This is what it is. There's no more
11 guess work.

12 MR. LEEDER: And that's been working
13 successfully?

14 MS. COOPER: It's been working. Some
15 reluctantly.

16 MR. LEEDER: But just because it's new?

17 MS. COOPER: Yes, just because it's new.

18 MS. ZESIGER: People don't like change,
19 either.

20 MS. COOPER: Change is hard.

21 MR. LEEDER: When you go back and you
22 start to assess the information that's coming out of
23 it, it's consistent with what your needs are?

24 MS. COOPER: Yes, they are.

25 MR. LEEDER: And it's improving your

1 function?

2 MS. COOPER: Yes. And once we get to a
3 system where we're computerized, we won't even have to
4 worry about that because we can have it -- put in your
5 mileage, it will automatically take the computer time.
6 Then it will print at the end of the day their activity
7 sheet of where they were, how long they were there, and
8 they don't even have to worry about it. It's just a
9 matter of putting in their mileage.

10 CHAIRWOMAN LEWIS: Thank you very
11 much, Lisa.

12 MS. COOPER: Thank you.

13 CHAIRWOMAN LEWIS: Let's go back to Item
14 Number 8. Is Leticia Sedano and Elizabeth Llamas d/b/a
15 Sedano's Beauty Salon here? All right. Come forward,
16 please.

17 Susan, would you affirm that you are going to
18 tell the truth, the whole truth and nothing but the
19 truth so help you?

20 MS. PADILLA: Actually, this is not my
21 citation. I'm reading for Pamela Fitzgerald and I'm
22 going to read her factual statement that she had typed
23 up for this Board Meeting.

24 CHAIRWOMAN LEWIS: Okay. Would you
25 state your name, please, both of you for the record

1 and your place of employment?

2 MS. SEDANO: Lisa Sedano, and I work for
3 Sedano's Beauty Salon.

4 MS. LLAMAS: Elizabeth Llamas. I work for
5 Sedano's Beauty Salon.

6 CHAIRWOMAN LEWIS: Thank you. You want
7 to read the statement?

8 MS. PADILLA: "During a routine inspection
9 at Sedano's Beauty Salon on 9/26/2005 I, Pamela
10 Fitzgerald, observed an unlicensed person performing a
11 color service on the public. This is a violation of
12 NRS 644.360.2. This is the owner's 4th offense. As a
13 result, this Complaint was filed against the owner of
14 the salon. I am alleging a violation of NRS 644.430.1
15 (a) (b) and (k) and NRS 644.430.2 (a) (b) (c) & (d).

16 MR. LEEDER: And I think that this is also a
17 violation of 644.030 or 037.

18 MS. SCHULTZ: This is how many offenses
19 now for her?

20 MS. PADILLA: It is the 4th offense. I do
21 recall the 3rd offense they had a citation. They were
22 not present at the Board Meeting. The Board Meeting
23 did go forward. As a result, it was noted in the file
24 and reflected in the Board minutes that their license
25 was to be placed on suspension -- revocation for a

1 period of time.

2 To my recollection, I'm sure it was 30, 60 --

3 MS. SCHULTZ: 30 days.

4 MS. PADILLA: They never got a Finding of
5 Fact so they were never closed for that period of time.

6 MS. SCHULTZ: Okay.

7 MS. ZESIGER: Have the fines been paid?

8 MS. PADILLA: I don't do the collection so I
9 can't answer that.

10 MS. ZESIGER: Does anyone know that?

11 MS. COOPER: I would have to say no, they
12 were not.

13 MS. ZESIGER: This is their 4th offense?

14 MS. PADILLA: I do have to note that we have
15 an application. They are selling that location at this
16 time. The application has not been followed through
17 with. This morning the new owners were supposed to
18 call and go over the checklist, and I would be doing
19 that, with be the Board's approval, to go forward with
20 that checklist and have the new owner take process of
21 that salon.

22 But I just wanted to inform you that it is in
23 the process of being sold.

24 CHAIRWOMAN LEWIS: Okay. Do you want
25 to state what your position is on this offense? Miss

1 Sedano, do you want to state whether or not -- give
2 your defense of this charge? Is this -- did this
3 actually happen?

4 MS. SEDANO: We only have one person
5 working there. The person that they say we were there,
6 it wasn't there, so I don't know who they were talking.

7 CHAIRWOMAN LEWIS: Somebody signed
8 this.

9 MR. LEEDER: That's Luz.

10 CHAIRWOMAN LEWIS: Cosmetologist in
11 charge signed the citation.

12 MR. WALTHERS: It says Elizabeth signed it.

13 CHAIRWOMAN LEWIS: Says Elizabeth signed
14 it.

15 MS. LLAMAS: I wasn't there and I'm
16 Elizabeth.

17 MS. SCHULTZ: Who is Luza Lina?

18 MS. LLAMAS: That's the receptionist. The
19 receptionist signed it.

20 MR. LEEDER: Do you understand that all the
21 people working in the shop do need to be licensed?

22 MS. LLAMAS: We have all licenses.

23 MR. LEEDER: But it says that this is the 4th
24 offense.

25 MS. SCHULTZ: Four times an unlicensed

1 person was found in your salon.

2 CHAIRWOMAN LEWIS: Who is Alfredo
3 Gonzalez?

4 MS. LLAMAS: We don't know who that is.

5 MS. SCHULTZ: That's the person that was
6 identified as the unlicensed person. And you say you
7 don't know who that person is?

8 MS. SEDANO: At the time it was only
9 Elizabeth, and she went to get some product at Sally's.
10 And it was Tony and Luza Lina working.

11 MS. COOPER: What's Tony's last name?

12 MS. SCHULTZ: Marino.

13 MR. LEEDER: Who is Lina.

14 MS. LLAMAS: Luza Lina, she's the
15 receptionist.

16 MS. COOPER: Alfredo paid his citation,
17 because otherwise he would be --

18 CHAIRWOMAN LEWIS: That's an admittance.
19 He was in there.

20 MS. COOPER: He was cited, so the salon gets
21 cited and he got cited. So he paid the citation.

22 MS. SCHULTZ: So he's saying he did. He's
23 saying he was working in there.

24 MS. COOPER: Otherwise, he would be here
25 with you.

1 MS. SCHULTZ: I would like to make a
2 motion --
3 CHAIRWOMAN LEWIS: Yes.
4 MS. SCHULTZ: -- that this being the 4th
5 offense fine, I would like to find them guilty.
6 MR. LEEDER: I have another question,
7 though. Or do you need to finish your motion first?
8 MS. SCHULTZ: Go ahead.
9 CHAIRWOMAN LEWIS: Go ahead. She'll
10 withdraw the motion. What's your question?
11 MR. LEEDER: Both of you are licensed, right?
12 MS. LLAMAS: Yes.
13 MS. SEDANO: Yes.
14 MR. LEEDER: And you're selling to someone
15 else. Are you the owners of the establishment?
16 MS. SEDANO: Yes.
17 MR. LEEDER: And you're selling to someone
18 else. Then are you going to continue to be licensed?
19 MS. LLAMAS: Mm-hmm.
20 MS. SEDANO: Yes.
21 MR. LEEDER: In Las Vegas or in Nevada?
22 MS. LLAMAS: Yes.
23 MR. LEEDER: What is the rule for a person
24 working in your new shop?
25 MS. LLAMAS: Have a license.

1 MR. LEEDER: They all need to be licensed.

2 MS. LLAMAS: Mm-hmm.

3 MR. LEEDER: This is our 4th offense for this
4 location. Now, are you going to open another location?

5 MS. LLAMAS: We have another one ready,
6 yes.

7 MR. LEEDER: What assurance are you going
8 to give us that this is not going to happen again?
9 Because that's where I'm a little concerned is it's
10 happened four times, and now you're letting me know
11 that you're going to do another shop. And so I'm
12 concerned that we're going to have to send another
13 inspector in.

14 So is there any assurance that you can give us
15 as a Board that you understand the regulations?

16 MS. LLAMAS: Yes, we understand.

17 MS. SEDANO: Yes.

18 CHAIRWOMAN LEWIS: You want to make the
19 motion?

20 MS. SCHULTZ: You do understand that you
21 must have licensed people in the salon?

22 MS. SEDANO: Yes.

23 MS. SCHULTZ: I would like to make a motion
24 at this time that we find them guilty.

25 That we assess another fine of \$2,000, which

1 is the maximum that we can cite them.

2 We revoke their current license and we put
3 their new license on a probation of six months.

4 They'll have to set up a payment and the fee
5 needs to be paid before they can open their new salon.

6 MS. PADILLA: Actually, their salon is in
7 existence.

8 MS. COOPER: They are two locations.

9 MR. WALTHERS: They're moving over to the
10 other location?

11 MS. PADILLA: They have two.

12 MS. SCHULTZ: We revoke this license. The
13 license they're moving to is going to be --

14 MS. COOPER: -- on suspension for six
15 months.

16 CHAIRWOMAN LEWIS: And a fine of \$2,000.

17 MS. SCHULTZ: And a fine of \$2,000.

18 MR. WALTHERS: I'll second that motion.

19 CHAIRWOMAN LEWIS: It is moved and
20 seconded that their license be revoked at this
21 location, that the license at the other location be put
22 on a six-month hold, and that they pay a fine of \$2,000
23 because this is their 4th offense.

24 Move to properly second? Moved by Miss
25 Schultz and seconded by Mr. Walthers.

1 Is there a question on that motion?

2 MR. LEEDER: I have another question. Do
3 you understand what's happening? Do you have
4 additional questions?

5 MS. SEDANO: No, I don't understand. What
6 happened is that only those person working there and
7 they are telling me that it's somebody else. I mean,
8 we already paid the fine. I don't even know who that
9 is.

10 MR. LEEDER: Do we have a record of the
11 person? Because I don't see who has paid a fine.

12 MS. COOPER: Well, Alfredo would have
13 gotten --

14 MS. SEDANO: When I came to the shop and
15 they told me that it was problem, the secretary told me
16 it was another customer friend of one of the helpers,
17 that they don't speak no English. And they said the
18 State Board lady said that he was doing something. And
19 actually, it was Tony doing it. And they said when she
20 came, she went in the car to get the number, because I
21 didn't have the license -- business license there.

22 When she came back, she started yelling at
23 them about the older guy who was there, and they said
24 they don't know nothing about it. They didn't
25 understand what was going on. And she just write and

1 write and said sign. And I said do you sign? They say
2 I don't know nothing.
3 MS. SCHULTZ: Were you not there at the
4 time?
5 MS. LLAMAS: We went to Sally's.
6 MS. SCHULTZ: Who was in charge then?
7 Tony?
8 MS. LLAMAS: No. I was in charge.
9 MS. SCHULTZ: But you went to Sally's.
10 MS. SEDANO: Well, no. Tony has license.
11 Now they are saying it was paid when I was saying --
12 and I asked her who was that person? She said she just
13 wrote that in there. They don't know the name. It's
14 lady from the State Board started yelling and telling
15 them a lot of stuff about -- she just asked for the
16 other guy, and the other guy, and they didn't know
17 nothing.
18 MR. LEEDER: So now you have two locations
19 am I to understand?
20 MS. SEDANO: Right.
21 MR. LEEDER: How many folks are working in
22 the first one?
23 MS. SEDANO: On the first one, it was just
24 Tony, Luza Lina and Elizabeth.
25 MR. LEEDER: So you have three people now.

1 How many in your second location?

2 MS. SEDANO: The other second is me,
3 Antonio and Lori.

4 MR. LEEDER: So you have six people all
5 together?

6 MS. SEDANO: Yes.

7 MS. ALFA: Lisa, Alfredo Gonzalez, under your
8 information in your file, where is he working? Isn't
9 it that everybody needs to let you know where is the
10 place of their work?

11 MS. COOPER: He's unlicensed.

12 MS. ALFA: He's unlicensed.

13 MS. ZESIGER: But he came in and paid his
14 fine.

15 MS. COOPER: He paid his fine. Because he
16 got cited for unlicensed activity. That fine was paid.
17 Otherwise, he would be here with them.

18 MS. ZESIGER: And he came in and paid?

19 MS. COOPER: Right. It's in the -- like, we
20 keep them together.

21 MS. ZESIGER: Then that's admitting that he
22 was working and was doing something.

23 MR. WALTHERS: Besides, this is the 4th one.

24 MS. ALFA: Did they pay the first one?

25 MS. ZESIGER: No.

1 MS. SEDANO: Since the 3rd one, we never
2 had nobody else. And that 3rd one we got because she
3 had already had passed the test. She was waiting just
4 for the license to the other one.

5 MR. WALTHERS: But she can't work until she
6 gets a license.

7 MS. SEDANO: We got it like that because we
8 knew already she passed the test and that's when she
9 was caught.

10 MS. PADILLA: I was the one that cited them
11 and the girl was a student. She did not take the test.
12 She did not take the test. She did not pass it. She
13 was still a student.

14 CHAIRWOMAN LEWIS: We have a motion on
15 the floor. Any further questions on that motion?

16 All in favor?

17 (Ayes.)

18 MS. ZESIGER: Could we put in there that the
19 payment -- that they have to make all these back
20 payments, too? Can we put that in the motion?

21 MS. SCHULTZ: We have it so they have to pay
22 it before they can --

23 MS. ZESIGER: All right. Thank you.

24 CHAIRWOMAN LEWIS: All in favor of the
25 motion, please say aye.

1 (Ayes.)

2 CHAIRWOMAN LEWIS: Opposed? Abstain?

3 MR. LEEDER: Abstain.

4 CHAIRWOMAN LEWIS: All right. We need to
5 take a three-minute break. We'll be right back.

6 (Recess taken at 10:24 a.m.)

7 (Reconvened at 10:37 a.m.)

8 CHAIRWOMAN LEWIS: We are going to call
9 the meeting back to order. The Board of Cosmetology
10 versus Lidia Cheney from Lidia's Beauty Salon. Is
11 Lidia here?

12 MS. MAGANIA: I want to ask the Board if it
13 was possible that I can approach with her, because I
14 was in charge that day that everything happened.

15 MR. LEEDER: You're Daisy Marquez?

16 MS. MAGANIA: No, my name is Sandra
17 Magania. She was out of state and I was the one that
18 opened the salon. And after work I was supposed to go
19 back and make sure everything was okay.

20 MS. SCHULTZ: Wait until she swears you in.
21 Go ahead and sit down.

22 CHAIRWOMAN LEWIS: We don't have that
23 information here.

24 MS. PADILLA: Once again, I'll be attesting
25 for Pamela Fitzgerald.

1 CHAIRWOMAN LEWIS: All right. Would you
2 please state your names and your business for the
3 record?

4 MS. CHENEY: Lidia Cheney and Lidia's Beaute
5 Salon.

6 MS. MAGANIA: Sandra Magania. I'm her niece
7 and I was in charge that day.

8 MS. ALFA: Are you licensed?

9 MS. MAGANIA: No, I'm not.

10 CHAIRWOMAN LEWIS: All right. We'll get to
11 your side of the story in just a minute.

12 Do you affirm that the information you will
13 give will be the truth, the whole truth and nothing but
14 the truth?

15 MS. MAGANIA: Yes, ma'am.

16 MS. CHENEY: Yes.

17 MS. PADILLA: Yes. "On November 5th, 2005,
18 during an inspection at Lidia's Beaute Salon located at
19 5006 South Maryland Parkway, Suite 9, Las Vegas,
20 Nevada, 89119, in regards to an anonymous consumer
21 complaint alleging an unlicensed female is working in
22 the salon, I, Pamela Fitzgerald, observed two
23 unlicensed females named Liliana Medina and Maria
24 Guadalupe, specifically were cutting hair on male
25 clients.

1 This is Lidia's 4th offense for NRS 644.360.2.
2 As a result this complaint was filed against Lidia's
3 Beaute Salon. She is alleging a violation of NRS
4 644.430.1 (a), (b) & (k) and 644.430.2 (a)(b)(c) and
5 (d)."

6 CHAIRWOMAN LEWIS: Do you want to state
7 what happened -- what your defense is here?

8 MS. MAGANIA: Yes, ma'am.

9 Lidia had to leave out of state on an
10 emergency with her daughter. And she had no one to
11 open the salon -- to be responsible for opening it, and
12 staying until late to close it.

13 So what I did is I opened the salon, she had
14 her cosmetologists and she told them she had to leave
15 on an emergency. They worked there and I said --
16 Guadalupe is the cashier, the receptionist, and she was
17 in process of getting her paperwork from Mexico from
18 her cosmetology school.

19 I didn't know that Liliana was going to be
20 there, but she had made -- Lidia had made arrangements
21 for Liliana to be there. Because the reason is that
22 she has two shops, and she was having trouble because
23 everybody was doing whatever they want to do.

24 And there were other cosmetologist -- I
25 mean, other people that were not supposed to be on, you

1 know, working, were doing it without her knowing. So
2 that's why she had to sell the other salon, so she can
3 concentrate on one salon and try to keep it in order.

4 The day that this happened, I left Guadalupe
5 in the morning when I opened the salon, and I told her,
6 okay, that anything -- I left my phone number and
7 everything. If anything happens, reach me. Because I
8 was at work and that's what I think the Inspector did.
9 She did reach me at work.

10 And I told her I would be on my way over
11 there, but it would take me probably about 45 minutes
12 to get there. And so I sent my son so he can sign
13 for -- because I didn't know what was the problem and I
14 didn't know exactly, you know, what was going on.

15 So when I got there, that's when I found out
16 that there was Liliana working and she wasn't supposed
17 to be working there at all.

18 CHAIRWOMAN LEWIS: So you are agreeing
19 that there was unlicensed people who were working in
20 the salon?

21 MS. MAGANIA: Yes.

22 CHAIRWOMAN LEWIS: And we see that you
23 received a similar citation in March, for unlicensed
24 people working in the salon and this is your 4th
25 offense. Well, actually, the last one was considered

1 the 4th offense for having unlicensed personnel working
2 in the salon.

3 MS. MAGANIA: One of the things is, you know,
4 if she really wanted to have unlicensed people on the
5 other salon, I think it was a day or two before she
6 left, they had already inspected that one. So, you
7 know what -- the logical thing, if she really had those
8 people working for her, she would have sent them over
9 there and not kept them at the Maryland --

10 MR. LEEDER: Let's not go there.

11 CHAIRWOMAN LEWIS: We don't want to go
12 there, because that's a violation of the law, too.

13 MS. MAGANIA: That's what I'm saying, if
14 she did have those employees. She didn't. She had
15 Guadalupe. I left her as a receptionist. I didn't
16 leave her as a cosmetologist. She didn't have a
17 station. She was working in someone else's --

18 CHAIRWOMAN LEWIS: But she was working
19 and she didn't have a license, and this is the 4th
20 time.

21 MR. LEEDER: Did Daisy Marquez, your
22 cosmetologist, come today?

23 MS. MAGANIA: No.

24 MR. LEEDER: Why was she allowing an
25 unlicensed person to work?

1 MS. MAGANIA: That's one of the problems
2 she's having.

3 MR. LEEDER: Well, maybe your cosmetologist in
4 charge is not the in-charge type of person. I mean,
5 maybe you need to pick someone else to be in charge,
6 because she's allowing unlicensed people to work. And
7 you say you have a second location?

8 MS. MAGANIA: She had to sell that.

9 MR. LEEDER: Do we have any violations on
10 file from the second location prior to sell?

11 MS. COOPER: I don't know.

12 MS. PADILLA: No.

13 MR. WALTHERS: That means four complaints
14 were on the second?

15 MS. PADILLA: They were all on this location,
16 on Maryland Parkway.

17 MR. LEEDER: So you had a clean record in
18 your second salon? So what were you doing differently
19 that you had four complaints in one salon and zero in
20 another, and yet the same owner?

21 MS. MAGANIA: One of the things she was
22 doing is that she -- she's a worker at -- she had the
23 work -- she was a worker at the other -- at the other
24 location and she was concentrating on bringing that one
25 up, because that was her new salon.

1 MR. LEEDER: But that's the one she sold.

2 MS. MAGANIA: Yeah. And the big salon is
3 where she was having all these problems. So she
4 decided, you know what, forget about the other
5 business. I better concentrate on this one because I'm
6 having too many problems.

7 CHAIRWOMAN LEWIS: We don't know that there
8 were no violations, but we don't have that record.

9 MR. LEEDER: No, I think we were told.

10 MS. PADILLA: That location was a slower
11 location. The location on Maryland Parkway is a very
12 busy location.

13 MS. SCHULTZ: I would like to make a motion
14 that we follow the same that we did on the last one.
15 This being the 4th offense fine, that we find her
16 guilty, and that was at her own admission, but find her
17 guilty, we revoke the salon license and we fine her the
18 maximum of \$2,000.

19 MS. COOPER: Okay.

20 CHAIRWOMAN LEWIS: It has been moved.
21 There was a second to that motion?

22 MR. WALTHERS: I'll second that motion.

23 CHAIRWOMAN LEWIS: It was moved by Miss
24 Schultz, seconded by Mr. Walthers, that we revoke the
25 license for the salon, that we fine them \$2,000. Is

1 that it?

2 MS. SCHULTZ: Yes.

3 MR. LEEDER: Questions? Are there questions?

4 CHAIRWOMAN LEWIS: I am going to ask
5 questions. Is there a question on the motion?

6 MR. LEEDER: How long is that revocation for?

7 MS. SCHULTZ: Forever on that salon.

8 MR. LEEDER: And when could they reapply
9 for an establishment license?

10 MS. SCHULTZ: She can reapply under another
11 name, but not under that name.

12 MR. LEEDER: And could, potentially, the salon
13 stay open because she's employing -- how many people
14 are currently employed at the location?

15 MS. MAGANIA: What she did now is she's
16 renting the station.

17 MR. LEEDER: I guess what I'm trying to say is
18 that by allowing an unlicensed person to work, you're
19 affecting five -- did you say 16 co -- six? Your
20 affecting six licensed folks. By allowing an
21 unlicensed person to work, you've now affected five
22 people's ability to work at that same establishment.

23 Explain that to her, please. And now the
24 motion on the table is that the establishment license
25 is being revoked. Is it the individual license or the

1 establishment license?

2 CHAIRWOMAN LEWIS: The establishment
3 license.

4 MR. LEEDER: Does she understand that?

5 MS. MAGANIA: She said that she didn't
6 have -- she didn't hire anybody as --

7 MR. LEEDER: It's not a matter of hiring, it's
8 a matter of working.

9 MS. ZESIGER: You can't run a station without
10 a license.

11 MS. MAGANIA: She's saying she didn't have
12 the person working in a station, she had the person as
13 a receptionist.

14 CHAIRWOMAN LEWIS: But they were
15 working during then.

16 MS. ZESIGER: Do you realize on March 9th
17 of 2005 you were fined \$3,000 and you have made no
18 effort to pay that? Am I right?

19 MS. MAGANIA: She's been doing payments.

20 MS. ZESIGER: She has been?

21 MS. ALEXANDER: She came in and made one
22 payment a couple days ago.

23 MS. ZESIGER: A couple days ago she made a
24 \$1,000 payment?

25 MS. CHENEY: And before that a couple

1 hundred and something else.

2 MS. MAGANIA: Another thing is no one has
3 sent her any notices about the hearing. She came and
4 notified she hasn't received anything, that she wanted
5 the information what was going to go on. Because there
6 was no paperwork sent to her or anything until after.

7 MS. ZESIGER: We have records of the
8 paperwork?

9 CHAIRWOMAN LEWIS: And she waived the
10 notice.

11 MS. ZESIGER: Okay.

12 CHAIRWOMAN LEWIS: She waived the notice on
13 the paperwork. We have a motion that we revoke the
14 license and we fine Miss Cheney \$2,000.

15 Is there any additional discussion on that
16 motion? All in favor of the motion, please say aye.

17 (Ayes.)

18 CHAIRWOMAN LEWIS: Any opposed?

19 MR. LEEDER: Nay.

20 CHAIRWOMAN LEWIS: Okay. The motion
21 carries.

22 MS. PADILLA: And the revocation is
23 immediate as of what date?

24 MS. SCHULTZ: Immediate.

25 CHAIRWOMAN LEWIS: Immediate revocation of

1 the license. Thank you very much.

2 Next, is Number 10. Nevada State Board of
3 Cosmetology, Angela Brown versus Marshall Beauty Salon.
4 Owner Marchall Las Vegas, Inc.

5 Would you state your name, please, for the
6 record?

7 MS. BROWN: Angela Brown. Field Inspector 1.

8 MS. SHIN: My name is Gowooni Shin,
9 G-o-w-o-o-n-i, S-h-i-n, and Haesu Lee, H-a-e-s-u, last
10 name is L-e-e. She's my friend.

11 CHAIRWOMAN LEWIS: She's your friend?

12 MS. SHIN: Yes, ma'am.

13 CHAIRWOMAN LEWIS: You are the owner of
14 the beauty salon?

15 MS. SHIN: No, I'm the branch manager.

16 MR. LEEDER: You're the cosmetologist in
17 charge?

18 MS. SHIN: Yes, ma'am.

19 MR. LEEDER: And this is your signature also
20 on the report of the establishment?

21 MS. SHIN: Yes, I did.

22 MR. LEEDER: And is it Lee Haesu or Haesu
23 Lee?

24 MS. SHIN: Haesu Lee.

25 CHAIRWOMAN LEWIS: Miss Brown, would

1 you tell us specifically what happened here?

2 MS. BROWN: Okay. On December 7, 2005
3 during a routine inspection at Marchall's Beauty Salon,
4 located at 4355 Spring Mountain Road, Suite 203, Las
5 Vegas, Nevada, 89102, I, Angela Brown, Southern Nevada
6 Inspector Level 1, observed an unlicensed person
7 performing a cosmetology service on the public,
8 specifically shampooing hair.

9 This is the third offense of a violation of
10 NRS 644.360.2, allowing an unlicensed person to work on
11 the public. As a result, this complaint was filed.
12 NRS 644.430.1 (a) and (k) and NRS 644.430.2 (a)(b)(c)
13 and (d).

14 MS. ZESIGER: So this is the third offense?

15 CHAIRWOMAN LEWIS: This is the third
16 offense for having an unlicensed person work.

17 MS. ZESIGER: Have you paid on your former --
18 on your other fines?

19 MS. SHIN: Yes.

20 MS. SCHULTZ: Do you know what this is? Do
21 you know this consent form?

22 MS. SHIN: Yes.

23 MS. SCHULTZ: Do you know that you marked --
24 that you admitted to having a person in that salon
25 unlicensed?

1 MS. SHIN: Yes. But that day -- you know, I'm
2 pregnant right now. But that day when Angela Brown
3 stopped by there, at that time I feel is very sick, but
4 I have a permanent customer. So I called my friend and
5 had them shampoo.

6 So when I study cosmetology, I studied
7 related book. They said some salon has shampoo girl.
8 Like they do only shampoo. But shampoo person
9 cannot -- doesn't have license.

10 MS. SCHULTZ: They do need a license. In
11 Nevada, they do need a license.

12 MR. LEEDER: Did you bring something with
13 you that explains it otherwise?

14 MS. SHIN: Sure. And my friend -- one of my
15 friend, she study New York, and she send me some --
16 this is Korean. I translate this one.

17 MS. SCHULTZ: This isn't New York, this is
18 Nevada.

19 MS. SHIN: Right, but I didn't know that.

20 MR. LEEDER: This is the translation?

21 MS. SHIN: So at the time I mention about
22 this, when I study, and Miss Sanchez said, "never does
23 that shampoo," that that was -- because when I went to
24 some salon, they have, you know, shampoo girl who do
25 only shampoo.

1 MS. SCHULTZ: Do you have one of these?
2 MS. SHIN: No, I don't have that one.
3 MS. ALFA: Did she go to school here in Las
4 Vegas? In Nevada?
5 MS. SHIN: No.
6 CHAIRWOMAN LEWIS: But how did she get a
7 license?
8 MS. SHIN: Indiana.
9 CHAIRWOMAN LEWIS: But how?
10 MS. SHIN: Yeah. I take a test.
11 MS. COOPER: She got a reciprocity over, so
12 she took the National exam.
13 MR. LEEDER: Miss Lee, are you able to
14 identify a scalp disease, or a scalp disorder, or a
15 hair disease?
16 MS. SCHULTZ: She doesn't speak English.
17 MR. LEEDER: What are some scalp conditions
18 and diseases that you would be alerted to while you
19 were shampooing someone? What are some of those?
20 MS. SCHULTZ: Don't tell her what they are,
21 just ask her.
22 MS. SHIN: I asked.
23 MR. LEEDER: Quickly. In other words -- what
24 I'm asking you is -- the reason why we have licensed
25 cosmetologists is because they are trained to identify

1 skin diseases and scalp conditions that would affect
2 public health.

3 We don't specifically have a category for
4 shampoo girls, or shampoo women, or shampoo men or
5 boys, for that matter. We have cosmetologists,
6 aestheticians, electrologists, manicurists and those who
7 do pedicures. We don't have a category for someone
8 that just does shampooing, so to speak.

9 So I still go back to my question which is,
10 are you capable of identifying scalp conditions or
11 diseases, yes or no?

12 MS. SHIN: Yes. Because when she does, you
13 know, shampoo, I explain about that.

14 MR. LEEDER: And so are you in the process of
15 getting your license?

16 MS. SHIN: Yes. No, sorry. She has an
17 Indiana license and she just moved to Las Vegas, so she
18 already took the exam last Monday.

19 MR. LEEDER: Are you able to work before you
20 have your Nevada license?

21 MS. SHIN: No, she don't.

22 MR. LEEDER: And were you working without
23 a license?

24 MS. SHIN: She doesn't know.

25 MS. SCHULTZ: She shampooed.

1 MS. SHIN: Only that day I called her to
2 shampoo.

3 MR. LEEDER: But on that day, should you
4 have been working without a Nevada license?

5 MS. SHIN: She said, "No."

6 MR. LEEDER: No. Thank you.

7 MS. SCHULTZ: And you already signed the
8 consent. I would like to make a motion at this time --

9 CHAIRWOMAN LEWIS: Okay.

10 MS. SCHULTZ: -- that we find her guilty of a
11 3rd offense, fine the maximum \$2,000, suspend the
12 license for 30 days.

13 CHAIRWOMAN LEWIS: The establishment
14 license?

15 MS. SCHULTZ: The establishment license. So
16 she's suspended for 30 days of working.

17 CHAIRWOMAN LEWIS: Is there a second to
18 that motion?

19 MS. SHIN: I have a question. I had -- that
20 day when I received the paper --

21 MR. LEEDER: The complaint?

22 MS. SHIN: Yes. Fine was \$500.

23 CHAIRWOMAN LEWIS: That's first offense.

24 MS. SCHULTZ: This is your 3rd.

25 MS. BRAIMOH: Have you paid the others?

1 MS. SHIN: Yes.
2 MS. ZESIGER: You have paid the other fines?
3 MS. SHIN: But that was for me. That was
4 first time. This is first time, not 3rd.
5 MS. ZESIGER: This is your 3rd.
6 MS. SCHULTZ: This is against Marchall's
7 Beauty Salon.
8 MS. BRAIMOH: Are you Marchalls's Beauty
9 Salon?
10 MS. SHIN: Yes, I'm --
11 MS. ALFA: Are you the owner or manager?
12 MS. COOPER: It's an LLC.
13 CHAIRWOMAN LEWIS: The fine of \$500 that's
14 stated on here was for Lee Haenu. That was for her.
15 But this is the fine for Marchall's Beauty Salon.
16 MS. SCHULTZ: This motion is for Marchall's
17 Beauty Salon. Marchall's Beauty Salon is being revoked
18 for 30 days -- or suspended for 30 days, and paying a
19 fine of \$2,000. That's for Marchall's Beauty Salon.
20 That's the motion that I have on that one.
21 MR. WALTHERS: Second the motion.
22 MS. ZESIGER: So you need to contact them.
23 And are they out of state?
24 MS. SHIN: Yes. The name of business
25 Marshall Beauty Salon, but the owner name is different.

1 CHAIRWOMAN LEWIS: It has been moved
2 and seconded that Marchall's Beauty Salon, the owner
3 being Marchall Las Vegas, Inc., have their license to
4 operate the beauty salon suspended for 30 days, and
5 that they pay a fine of \$2,000 for having unlicensed
6 personnel working in the shop, this being their 3rd
7 offense.

8 Is there question on the motion? Any
9 additional questions on the motion?

10 MR. LEEDER: My only question would be
11 that -- I would encourage your owner to show up to this
12 meeting in the future. In the event that there's a 4th
13 violation, and heaven forbid there is, but the owner
14 should be responsible for attending this meeting in
15 addition to you.

16 And I also think you should be fairly warned
17 not to have unlicensed folks working on people.

18 MS. SHIN: Yeah, I know.

19 MR. LEEDER: Everybody needs to be licensed if
20 they're working on someone.

21 MS. SHIN: Well, when I got the complaint
22 from Miss Angela Brown, I got only fined \$500.

23 MS. SCHULTZ: This is for the --

24 CHAIRWOMAN LEWIS: This is for Lee Haesu. Lee
25 Haesu is -- her first offense fine is \$500. So we're

1 getting ready to get to that right now.

2 MR. WALTHERS: There's more?

3 MS. PADILLA: Since their license is
4 revoked --

5 MR. LEEDER: Suspended.

6 MS. PADILLA: Since it's suspended for 30
7 days, if we go in and they're open and operating, that
8 would be their second offense for operating a salon
9 without a salon license. So just to let them know,
10 that would be a \$1,500 fine.

11 CHAIRWOMAN LEWIS: And possible
12 revocation of their license forever.

13 MS. PADILLA: And coming before the Board.

14 MR. LEEDER: And that would be a revocation of
15 the individual license as well as the establishment
16 license. So be very alert to that. Please make sure
17 that you understand. If you don't, please ask what
18 we're referring to.

19 CHAIRWOMAN LEWIS: Close the doors of the
20 shop.

21 MS. ALFA: But in a case like that, do you
22 send a letter to the employees of the salon to let them
23 know that the salon has been suspended, or how would
24 they know if she doesn't go back and tell all the
25 cosmetologists?

1 MS. COOPER: We will go through their last
2 inspection sheet, pull up these license numbers and
3 we'll send the letter to the salon that they're
4 revoked, we'll send the same letter to the -- suspended
5 for 30 days, yeah. We'll do that.

6 CHAIRWOMAN LEWIS: All in favor of the
7 motion as stated earlier, please say aye.

8 (Ayes.)

9 CHAIRWOMAN LEWIS: All opposed? No. Abstain?
10 The motion carries.

11 MS. SCHULTZ: Now, I would like to make
12 another motion for the cosmetologist in charge. Find
13 her guilty of having an unlicensed person working in
14 the salon and assess a first offense fine of \$500.

15 MR. WALTHERS: And I will also second that.

16 CHAIRWOMAN LEWIS: Now, that's Miss
17 Gowooni. All right, moved and seconded that for the
18 cosmetologist in charge we assess a fine of \$500 --
19 find her guilty and assess a fine of \$500 for first
20 offense.

21 Is there a second to that? There was a second
22 to that motion. So it's moved and seconded. Is there
23 questions on the motion?

24 MR. LEEDER: I do have a question. Knowing
25 that the license is suspended for 30 days, it may be an

1 undue hardship for the cosmetologist in charge to be
2 both responsible to the owner for the fine, as well as
3 personally.

4 MS. SCHULTZ: She can make payments. We
5 allow payments.

6 MS. ZESIGER: Is it one year that we take
7 payments -- within one year?

8 MR. LEEDER: Okay.

9 MS. SCHULTZ: I want to make sure, too, that
10 somebody explains all this to her, that she understands
11 all of it, who is getting what kind of fine.

12 MS. COOPER: Okay.

13 CHAIRWOMAN LEWIS: It has been moved
14 and seconded that the cosmetologist in charge be fined
15 \$500, first offense for allowing unlicensed personnel
16 to work in the shop. But I don't see that in here.

17 MR. WALTHERS: It's on the last page.

18 CHAIRWOMAN LEWIS: I see that part of
19 unlicensed person, but I don't see one for the
20 cosmetologist in charge.

21 MR. LEEDER: 644.190 is the NRS Code, but
22 it's not listed on here.

23 CHAIRWOMAN LEWIS: I know. I don't see
24 it.

25 MS. SCHULTZ: 301 (k).

1 MR. LEEDER: It's not -- it's just simply
2 the --

3 MS. COOPER: She wrote it in the inspection
4 sheet.

5 CHAIRWOMAN LEWIS: Okay. Any additional
6 questions on the motion? Moved by Miss Schultz,
7 seconded by Mr. Walthers. Any additional questions?

8 MR. LEEDER: Well, it's my understanding
9 that we can't assess the fine if it's not on the
10 complaint.

11 MS. SCHULTZ: It's on the inspection sheet.

12 CHAIRWOMAN LEWIS: It's on the inspection
13 sheet. 430.1.

14 MS. SCHULTZ: Which she got at the time of
15 the citation.

16 MR. LEEDER: But now, if we go back to those
17 other folks, that was the same thing with them. I
18 mean, it was on -- well, like on that very first one
19 that we did.

20 This is getting off track, so maybe I should
21 bring this question up once we've resolved this motion.

22 CHAIRWOMAN LEWIS: All in favor of the
23 motion, please say aye.

24 (Ayes.)

25 CHAIRWOMAN LEWIS: Any opposed? Any

1 abstentions?

2 MR. LEEDER: Abstain.

3 CHAIRWOMAN LEWIS: The motion passes.

4 Okay, now. Since we didn't do it before, his

5 question --

6 MS. SCHULTZ: I know what your question is.

7 MR. LEEDER: Right. When we go back to

8 Sedano, Elizabeth, we see there's no cosmetologist

9 present even on the report of establishment and there

10 was no fine to assess. But I suppose if we're revoking

11 a license --

12 CHAIRWOMAN LEWIS: Who cares, right?

13 MR. LEEDER: Okay.

14 CHAIRWOMAN LEWIS: We also have Lee

15 Haesu, and she has agreed, so we don't really need to

16 do anything on that. She doesn't contest the following

17 allegations, and the fine is \$500. Okay? For Lee

18 Haesu.

19 Any further comment on this case? Okay.

20 Thank you very much.

21 MR. LEEDER: After that 30 days, please do not

22 let this matter come up to the Board again. Do very

23 diligent care to assure that anyone working in your

24 salon and under your management or ownership is

25 licensed.

1 MS. SHIN: Right.

2 CHAIRWOMAN LEWIS: Next is Mr. Tedercus.
3 Would you state your name, please, for the record?

4 MR. MANN: My name is Joel Mann. I'm the
5 attorney for Mr. Philip Tedercus. I represent him on
6 this matter. Mr. Philip Tedercus is also present.

7 MS. SCHULTZ: Why are we doing this? This
8 is a barber issue, right?

9 MS. BROWN: Yeah. Actually, on 11/29/05,
10 during a routine inspection of You Look Marvelous
11 Beauty Center located at 8450 West Sahara Avenue, Suite
12 107, I, Angela Brown, Inspector 1, observed an
13 unlicensed person performing cosmetology services in a
14 salon, specifically hair coloring, and he was cited.

15 The citation number was AB46. It was issued
16 to the owner for violation NRS 644.360.2. This is his
17 first offense for a \$500 fine in accordance with the
18 Board fining system. NRS 644.430.1 (a) & (k) and NRS
19 644.430.2 (a)(b)(c) and (d).

20 And actually, how this came about is on
21 the -- he had a private hair station added inside of a
22 cosmetology establishment. It wasn't signed off by the
23 Barber Board. It's a barber room. Okay? What I wrote
24 was that this floor plan wasn't signed off by the
25 Barber Board showing that this room is approved.

1 At this time, the salon was given five days to
2 comply. That was back in June. This was the first
3 matter.

4 And then there was a five days compliance,
5 and he was to comply with a reinspection. On July 14th
6 there was a reinspection. He has not come to
7 compliance.

8 And then on 11/29/05, I went in to do the
9 inspection and I observed the person -- a licensed
10 barber working in the room, and he, the owner of the
11 salon at that point in time, he signaled the guy to
12 leave the room, cut the light off, locked the door and
13 directed him to go inside the first station, which is
14 also a barber room. And he had his coloring bowls and,
15 you know, whatever. But he was trying to slip him out
16 and slip him into the, you know, the salon -- the room
17 that is licensed. So this is --

18 MR. WALTHERS: The room that's licensed as a
19 barber shop?

20 MS. BROWN: Exactly.

21 MR. LEEDER: You did not write up a
22 complaint or a citation on the first two observations?

23 MS. BROWN: No.

24 MR. LEEDER: It was a matter of courtesy. The
25 first one was a courtesy and the second one was a

1 courtesy, despite that they were a month apart. And
2 then five months later, was that the time that you
3 actually wrote up the violation?

4 MS. BROWN: Exactly.

5 CHAIRWOMAN LEWIS: Do they have a license as
6 a cosmetological establishment?

7 MS. BROWN: Yes, he has.

8 MS. SCHULTZ: Are they also licensed as a
9 barber shop?

10 MS. BROWN: Just the one room.

11 MS. SCHULTZ: One room is?

12 MS. BROWN: Yes.

13 MS. SCHULTZ: Did you notify the Barber
14 Board that that room wasn't licensed for them?

15 MS. BROWN: No, I did not notify the Barber
16 Board. But when I spoke to the owner, he said that
17 he's having problems with the Barber Board to come out
18 to approve the room. And then a second time he said
19 the room was approved, but he didn't give me any
20 information showing me that that room was approved.

21 MS. PADILLA: I have spoken with the Barber
22 Board in regards to this, because I was the one who
23 actually observed the room the first time.

24 The Barber Board informed me that no, that
25 room was not going to be approved due to the fact that

1 it's not in the right location of the establishment.

2 It needs to be up in front.

3 When I went back to do the reinspection, they
4 did not comply by updating a new floor plan and/or
5 having it signed off by the Barber Board. Because even
6 if the barbers are going to be in there, they still
7 have to follow through to the Barber Board prior to
8 application with us.

9 The person was not present at the time of the
10 reinspection. I did write on the sheet that they did
11 not comply, but was not observed working on the public.

12 And then they were aware that they did need
13 a license through the Barber Board. They were aware of
14 the timeframe. Like I said, the Barber Board, I was in
15 contact with them and they did state that it was not
16 going to be approved.

17 MR. LEEDER: Did they say why?

18 MS. PADILLA: It wasn't in the right location.

19 MR. LEEDER: What does that mean?

20 MS. PADILLA: That means -- their law -- a
21 barber area in a salon needs to be in the front of the
22 establishment, and that private hair room that they
23 were utilizing as a barber area, the second one, is in
24 the back of it.

25 MR. LEEDER: So the configuration doesn't

1 match?

2 MS. PADILLA: Right.

3 MR. LEEDER: Are you aware of that?

4 MS. SCHULTZ: Let him talk first. Let him
5 tell us his story first.

6 MR. LEEDER: Oh, yeah. Okay.

7 CHAIRWOMAN LEWIS: You want to give us
8 your defense?

9 MR. MANN: Yes. I have some exhibits I
10 would like to present to the Board if I may.

11 CHAIRWOMAN LEWIS: Sure.

12 MR. MANN: What you have in front of you
13 are various exhibits. I would like to go through the
14 time line of what had happened. It's very similar to
15 how Ms. Brown represented it, but it did not represent
16 what Mr. Tedercus did in response to those
17 interactions.

18 On July 14th he was reinspected by
19 Ms. Padilla. At that time she informed him that he may
20 be in a violation, at which point, the very next day --
21 if you look at Exhibit A, the very next day he then
22 went through the appropriate application procedures
23 with the Barber Board, submitted his \$50 application
24 fee.

25 And then, if you look at Exhibit B, they sent

1 a faxed letter on July 18th recognizing that they did
2 receive the application and that they had received a
3 \$50 fee.

4 Now, under NRS 643.171.2, which is the
5 Barber's Licensing, they talk about that, "A Board
6 shall issue" -- shall -- it's not a may, but a shall --
7 "issue a license to operate an existing barber shop
8 upon receipt of such application and fee if applicant
9 complies with the application in this chapter".

10 So pursuant to that statute, if Mr. Tedercus
11 was in violation, it was their responsibility to inform
12 him otherwise. He was going under the obligation, or
13 the assumption, that he was in the right and that was a
14 properly licensed room. Okay?

15 He had a licensed barber in that room on
16 11/29/05. That's when Ms. Brown walked into the
17 barber's -- apologize, the You Look Marvelous and saw a
18 barber working in this room, that was at one
19 point designated as a cosmetology room, and violated
20 him for having an unlicensed person in a cosmetology
21 room.

22 Now, part of that violation included NRS
23 1644.430.1 (a) and (b). If you look at the (b)
24 violation, "obtaining practice in cosmetology or any
25 branch thereof where money or anything of value by

1 proximate misrepresentation."

2 First of all, Ms. Brown has never indicated in
3 a citation that the person in that room ever put
4 themselves out as a cosmetologist. That person was a
5 barber -- is a licensed barber. They never put
6 themselves out as a cosmetologist. So misrepresenting
7 themselves as a cosmetologist would not pertain
8 whatsoever.

9 So the only other violation that there may be
10 is the (a) violation, and that is where they were in
11 violation of the Chapter 644 cosmetology chapter where,
12 if you look in your packet in the relevant statutes,
13 you can see under 644.360.2, that a cosmetology
14 establishment is only allowed to lease to
15 cosmetologists.

16 However, if you look at the last part of the
17 Subsection 2, it specifically states, "it does not
18 prohibit an operator of a cosmetology establishment
19 from leasing space to or employing a barber." Okay?

20 So even though this may have been a
21 cosmetology establishment, or may still be designated
22 as a cosmetology establishment, even that room, NRS
23 allows the cosmetology establishment to rent to a
24 barber -- to lease to a barber, which was done.

25 Now, the question of was this appropriate with

1 the Barber's Board, unfortunately, is not in front of
2 this Committee. That is not your jurisdiction. That
3 is at jurisdiction with the Barber's Board.

4 We believe that we were in proper compliance
5 with the Barber's Board. That if the Barber's Board
6 would like to discuss that with us, we'd be happy to.

7 You should note that since this time, the
8 person operating in that room is no longer operating in
9 that room. That room is actually not being used
10 whatsoever. And there will be changes being made to
11 the overall salon completely where, at some point in
12 the near future, cosmetology will not be practiced in
13 the salon whatsoever.

14 Mr. Tedercus has been an owner of a
15 cosmetology establishment for over 20 years and this is
16 the first time he's appearing before this Board.

17 MR. LEEDER: But at barbering. He's been 20
18 years barbering.

19 MR. MANN: He owned a cosmetology
20 establishment for 20 years. This is the first time
21 appearing before this Board.

22 As far as I know, none of his employees or
23 the people leasing space has ever been fined by the
24 Cosmetology Board.

25 I don't know that to be true or not, but

1 that's to my knowledge.

2 MR. TEDERCUS: That is true.

3 MS. SCHULTZ: I honestly don't think it's our
4 jurisdiction either, to be honest with you. Only thing
5 we have jurisdiction over, though, would be his floor
6 plan.

7 If he's going to remain a cosmetology
8 establishment we would need a copy of his floor plan.

9 MR. MANN: And in regards to that, I don't
10 believe the NRS specifically states that. I understand
11 the Board's desire to have that adequately mentioned
12 and to have that, I just don't believe the statute
13 specifically states that when there is a change in what
14 the room is designated as, that there has to be a new
15 floor plan issued.

16 If you look at NRS 644 -- I believe it is --

17 MS. PADILLA: 345.

18 MR. MANN: 345, thank you, which I have in
19 here, I just need to find it -- thank you -- Subsection
20 2 specifically applies because, I believe Subsection 1
21 regards the actual -- we'll go through both.

22 CHAIRWOMAN LEWIS: It says that --

23 MR. MANN: "Board must be notified of any
24 changes of ownership, name or services offered, or
25 location of cosmetology establishment". None of that

1 was changed.

2 MR. LEEDER: That was a service.

3 MR. MANN: Barbership was always offered
4 here.

5 CHAIRWOMAN LEWIS: 2 does apply.

6 MR. MANN: After the license is issued, any
7 changes in the physical structure -- there were no
8 walls moved, there was no plumbing changed.

9 MS. SCHULTZ: So there wasn't a room built?

10 MR. MANN: That room was already there.

11 The physical structure did not change.

12 CHAIRWOMAN LEWIS: But there is a
13 regulation --

14 MR. WALTHERS: In other words, nothing was
15 changed, but he was cutting hair in the cosmetology
16 room.

17 MR. MANN: As a barber, yes.

18 MS. SCHULTZ: Our law doesn't specify that the
19 walls have to be in the front of the salon or anything.
20 That's the barber thing.

21 MR. LEEDER: Who is the cosmetologist in
22 charge that signed the citation? Mary?

23 MR. MANN: Just one second, please.

24 MR. LEEDER: I can show it to you.

25 MR. MANN: I have a copy.

1 MR. LEEDER: Is it just --

2 MR. MANN: The person that signed the
3 citation was Mr. Tedercus, the owner of the cosmetology
4 establishment.

5 MR. LEEDER: But the cosmetologist in
6 charge --

7 MR. MANN: Mary Therese Mattucci.

8 MR. LEEDER: So there's other folks working
9 in the place besides just Mr. Chavez, the barber?

10 MR. MANN: There's several cosmetology
11 stations, but the room that we're talking about is a
12 completely separate room, completely walled off.

13 MR. LEEDER: Which room was that on the
14 floor plan?

15 MS. COOPER: The storage room.

16 MS. SCHULTZ: That was changed into a
17 barber room?

18 MS. COOPER: That was changed into a barber
19 room.

20 MR. LEEDER: Has anything else changed,
21 Mr. Chavez?

22 MR. MANN: This is Mr. Tedercus.

23 MR. LEEDER: Excuse me.

24 MR. MANN: It's the pedicure room.

25 MS. SCHULTZ: Okay.

1 MR. LEEDER: I don't have a pedicure room.

2 MS. SCHULTZ: Yeah, you do.

3 MR. LEEDER: Okay. So it's like an open room
4 or it's a closed room?

5 MS. COOPER: So the service has changed?

6 MR. MANN: It's a closed room.

7 MS. SCHULTZ: I don't think this is our
8 jurisdiction.

9 MS. PADILLA: We have been citing the
10 barbers if they're located in our salon. They are
11 construed to be an unlicensed person under that 630,
12 stating that, "they are allowed to work in our shops",
13 there is a slight section added on to it, "such a
14 barber remains under the jurisdiction of the Barber's
15 Health and Sanitation Board," meaning they have to
16 follow through with the requirements of the licensing
17 of the Barber Board, meaning they do need to obtain a
18 license from them.

19 We need to know that that is designated as a
20 barber area, so this way we don't run into those
21 problems and have to cite them.

22 MS. SCHULTZ: I understand that. But when it
23 comes down to them following through with that, it
24 really needs to go before the Barber Board. We have no
25 jurisdiction over him unless --

1 MS. PADILLA: He's in our salon area.

2 MS. SCHULTZ: If he's in our salon area and
3 he's not licensed then he's a problem. But he's got a
4 barber license.

5 MS. PADILLA: He wouldn't be licensed under
6 our jurisdiction, so he would be an unlicensed person.

7 MR. MANN: However, 360 specifically allows a
8 cosmetology establishment to lease to a barber.

9 It doesn't say anything about requirements
10 for getting a special license or a cosmetology license.

11 CHAIRWOMAN LEWIS: But the rest of the law
12 requires that people who are working in the
13 cosmetological establishment, unless they are working
14 in that part of the building that is designated as a
15 barber shop, they also be licensed. So you couldn't
16 have him working in the cosmetology section as a
17 barber.

18 MR. MANN: He was working in a room that
19 he was leasing from the cosmetology establishment that
20 became the barber's room, because he is a barber.

21 CHAIRWOMAN LEWIS: And if he was working in
22 that room that is designated as the barber room, that
23 is allowable with a license as a barber.

24 Once he moves into the pedicure area, then
25 that is not allowable because he's not licensed to work

1 as a pedicurist or a manicurist.

2 MR. MANN: But he wasn't working as a
3 pedicurist, as a manicurist, as any sort of
4 cosmetologist; he was working as a barber. He was only
5 doing barber specific jobs.

6 CHAIRWOMAN LEWIS: But was not in the
7 barber area according to the citation.

8 MR. MANN: And I understand that. But the NRS
9 specifically states that a cosmetology establishment
10 may lease to a barber. They specifically allow
11 barbers --

12 CHAIRWOMAN LEWIS: You didn't lease the
13 whole space, though.

14 MR. MANN: -- allow barbers to lease a space
15 in the cosmetology establishment. Why would there be a
16 designation for barbers specifically unless barbers
17 were able to work in a cosmetology establishment?

18 Why would a cosmetology establishment
19 lease a room, whatever it may be, to a barber if they
20 would have to separate and designate that that is no
21 longer part of the establishment?

22 MR. LEEDER: But we do do that. In fact, it's
23 for electrology, and we did that for body piercing,
24 tattooing, license massage therapy.

25 So barbers is just one area, and there are

1 multiple areas?

2 MR. MANN: Correct. But that is an area
3 that's outside the realm of the Cosmetology Board.

4 That is an area that --

5 MR. LEEDER: But I thought you said that
6 he's -- you do have a cosmetology establishment
7 license?

8 MR. MANN: He owns a cosmetology
9 establishment.

10 MR. LEEDER: Then that's why he's before the
11 Board.

12 MR. MANN: I understand. But it is a barber
13 that was renting the room, it was a barber's service
14 being performed.

15 No cosmetology services were being
16 performed in that room, so he cannot be issued a
17 violation for practicing cosmetology without a license
18 because he wasn't practicing cosmetology without a
19 license.

20 MS. SCHULTZ: It basically boils down to he
21 needs a license from the Barber Board to hang in that
22 room or he needs to move out of there, because we're a
23 licensed cosmetology establishment.

24 MR. MANN: The person working in that room was
25 a licensed barber.

1 MS. SCHULTZ: Licensed as an establishment by
2 the Barber Board.

3 MR. MANN: Since that time, Mr. Tedercus has
4 decided to take the salon a whole different direction,
5 irregardless of this situation. Okay? It was going to
6 happen no matter what.

7 So there is no barber or cosmetologist
8 working in that room whatsoever anymore. Okay? And
9 in fact, in the near future there will be no
10 cosmetologist working in that salon whatsoever. Okay?

11 Mr. Tedercus, as I explained, has been in
12 good standing with this Board for over 20 years. And
13 this misunderstanding, if you will, at best of what I
14 believe the statute should specifically state, and I
15 believe this Board must strictly construe those
16 statutes, I believe Mr. Tedercus is not in violation
17 and should not be fined at all.

18 I think this case should be dismissed because
19 it has nothing to do with this.

20 MS. SCHULTZ: Is that a motion?

21 MR. WALTHERS: I would like to ask our legal
22 counsel the question.

23 MR. WADHAMS: I think they presented a
24 pretty strong case that, first of all, all of this does
25 lie outside of our jurisdiction. And to the extent

1 that there's a possibility it does, say with the
2 establishment, I don't think we have enough facts on
3 record to say definitively whether or not we can go
4 forward.

5 I would probably recommend dismissal and a
6 referral to the Barber Board to see what they would do
7 with it.

8 MS. PADILLA: I would just like to add one
9 thing before you make your finding. If we had faxed
10 over the inspection sheet to the Barber Board, the
11 Barber Board in the past has issued a citation from
12 their AG's Office directly to that person, directly
13 upon what they observed.

14 So they are in violation of the Barber Board,
15 as well.

16 CHAIRWOMAN LEWIS: That's probably what
17 we should do.

18 MS. SCHULTZ: That's up to the Barber Board.

19 CHAIRWOMAN LEWIS: Is that a motion --

20 MS. ALFA: Yes.

21 CHAIRWOMAN LEWIS: -- that we dismiss this
22 particular case?

23 MS. SCHULTZ: I'll second it.

24 CHAIRWOMAN LEWIS: Moved by Miss Alfa,
25 seconded by Miss Schultz that we dismiss based on the

1 evidence presented. Any questions on that motion?

2 MR. LEEDER: Good luck for another 20 years of
3 a spotless record then.

4 MR. TEDERCUS: Thank you.

5 CHAIRWOMAN LEWIS: All in favor of that
6 motion, please say aye.

7 (Ayes.)

8 CHAIRWOMAN LEWIS: Opposed? Thank you.

9 MR. WADHAMS: Thank you very much.

10 CHAIRWOMAN LEWIS: Carribean Day Spa,
11 FC Franklin, Incorporated. Cosmetologist in charge
12 Julie Jean Bolan.

13 MS. COOPER: Antonio Chavez, we're
14 dropping. Antonio -- we're dropping him because we
15 received back his notice undeliverable last week.

16 MS. ALFA: This was my amended and it has
17 Antonio still on it.

18 MS. COOPER: Right. We just received it
19 Tuesday or Wednesday of last week and we didn't want to
20 redo another. Antonio -- we have to get ahold of him
21 still.

22 MS. SCHULTZ: So you're going to bring this
23 back the next meeting?

24 MS. COOPER: Yes.

25 CHAIRWOMAN LEWIS: So we have Wilma

1 Jean Brower. She's not here.
2 MS. COOPER: Wilma Jean? She said she
3 would be here.
4 CHAIRWOMAN LEWIS: Okay.
5 MS. COOPER: I even talked to her.
6 CHAIRWOMAN LEWIS: Can we find her guilty on
7 that then? She's not here. She was told to be here at
8 10:00.
9 MR. LEEDER: Can we call her to see if she
10 would still like to make it?
11 MR. WALTHERS: No. They've been noticed.
12 They've had plenty of time.
13 MR. WADHAMS: If she would like to have the
14 Board reconsider it, she can file a motion to
15 reconsider.
16 MR. LEEDER: So we're moving to fine?
17 MS. SCHULTZ: Well, first of all --
18 MR. WALTHERS: I want to hear her side of
19 the story.
20 MS. PADILLA: Okay. On November 30th,
21 2005 during a routine inspection of Carribean Day Spa
22 Number 2 located at 10624 South Eastern Avenue, Suite
23 6H, Henderson, Nevada, 89052, I, Susan Padilla,
24 Southern Nevada Inspector Level 2, observed Wilma Jean
25 Bower, a licensed manicurist, perform a pedicure

1 service on the public with no license posted.

2 Citation SP213 was issued to Miss Bower for
3 a violation of NRS 644.290.1. It is her first offense.
4 It was \$1,000 fine in accordance with the Board's
5 fining system.

6 CHAIRWOMAN LEWIS: She does send in a
7 statement of defense.

8 MS. SCHULTZ: Yeah. Let me read that
9 statement. Let me read this part that she says,
10 "I was not aware that the State of Nevada
11 had changed last year and that you had to display
12 your picture license while in audition, not working."

13 MR. LEEDER: Like an audition.

14 MS. COOPER: She was doing an audition at
15 Carribean Day Spa.

16 MS. SCHULTZ: She didn't know she had to
17 display that license. And we changed that last year
18 according to her. It's been in since 1981. 1981.
19 Okay. Then she's said it again below, "the law
20 changed."

21 MS. ALFA: You should ask everybody to type.
22 I couldn't read this. I couldn't understand one word I
23 was reading. It was all of them. They all need to
24 submit it in typing.

25 MS. COOPER: Okay.

1 MS. SCHULTZ: I would like to make a motion
2 that we go ahead and find her guilty of NRS 644.290.1
3 and 430, and assess a first offense fine of \$1,000 --
4 \$100. Well, for each.

5 MR. LEEDER: I second that.

6 MS. ALFA: \$1,000 or \$100?

7 MR. LEEDER: \$100 each.

8 MS. COOPER: So a total of \$200?

9 MS. SCHULTZ: Total of \$200.

10 CHAIRWOMAN LEWIS: It's been moved and
11 seconded by Mr. Leeder that we find Miss Bowen guilty
12 and assess a fine of \$200 total.

13 Is there a question on the motion? All in
14 favor, please say aye.

15 (Ayes.)

16 CHAIRWOMAN LEWIS: Opposed? Motion
17 carries.

18 MS. ALFA: Did she get the job?

19 MS. COOPER: She didn't.

20 MS. ZESIGER: I would like to make a
21 statement for all of the students here. This is what
22 you need to know.

23 If you're going to audition for a job and
24 they tell you, "Oh, well, you need to do a manicure on
25 me," or "I want you to blow this lady's hair out," have

1 your license with you. Do not let anyone talk you into
2 doing anything unless you have your license. Because
3 you will also be in trouble and you don't want to do
4 that. That's not a good way to start out.

5 MR. WALTHERS: And this Board can hold up
6 your paperwork for you to take your exam if you were to
7 do something like that.

8 MS. ZESIGER: Don't be afraid of not getting
9 the job. Just tell them, "According to State law, I
10 cannot do that without my license."

11 MR. WALTHERS: "When I'm licensed, I'll come
12 back in and talk."

13 MS. ZESIGER: Okay?

14 CHAIRWOMAN LEWIS: We have Elvia's Beauty
15 Salon. William H. Ramirez.

16 MS. COOPER: The salon -- actually, I talked
17 to the salon. You were asking about why the salon was
18 in it. The girl said she was going to pay it. They
19 had -- that was what they worked out.

20 CHAIRWOMAN LEWIS: So they were cited?

21 MS. COOPER: Yes, they were cited. That's
22 what they worked out.

23 CHAIRWOMAN LEWIS: They were going to
24 pay it anyway. Okay.

25 This is now Elvia's. Would you state your

1 names, please, for the record?

2 MR. RIVERA: My name is Freddie Rivera.

3 MR. RAMIREZ: My name is William Ramirez.

4 MS. RAMIREZ: Elvia Ramirez.

5 CHAIRWOMAN LEWIS: Okay. Do you affirm
6 that the statements you are about to make to be the
7 truth, the whole truth, and nothing but the truth?

8 MR. RAMIREZ: Yes.

9 MS. RAMIREZ: Yes.

10 MR. RIVERA: Yes.

11 CHAIRWOMAN LEWIS: All right. Susan?

12 MS. PADILLA: On November 11, 2005 during a
13 routine inspection of Elvia's Beauty Salon located at
14 3218 North Las Vegas Boulevard, North Las Vegas,
15 Nevada, 89115, in regards to an anonymous consumer
16 complaint, I, Susan Padilla, Southern Nevada Inspector
17 Level 2, observed no licensed cosmetologist present at
18 the time of the inspection.

19 The licensed cosmetologist did enter the salon
20 during the inspection, approximately 10 to 15 minutes
21 into the inspection. The owner was issued Citation
22 SP208 for a violation of NRS 644.370. It's her first
23 offense. It's \$100 fine in accordance with the Board's
24 fining system.

25 MS. SCHULTZ: Who was present?

1 MS. PADILLA: Four unlicensed people.
 2 MS. SCHULTZ: None of them working, though?
 3 MS. PADILLA: All of them were working.
 4 MS. ALFA: What's their names?
 5 MS. PADILLA: I don't have that information
 6 with me. They were all issued a citation except for
 7 one, who excused himself through the door when I was
 8 speaking with the owner's husband.
 9 CHAIRWOMAN LEWIS: You mean he ran
 10 away?
 11 MR. WALTHERS: He went out the back door?
 12 MS. PADILLA: The front door.
 13 MR. LEEDER: Is this a habit?
 14 MR. RIVERA: No. We're actually not here to
 15 dispute that, we're here to dispute the NRS 644.370
 16 which is the cosmetologist in charge.
 17 MR. LEEDER: Okay.
 18 MR. RIVERA: He was in charge. He was there
 19 present. He did sign the form and he's a licensed
 20 cosmetologist.
 21 MR. LEEDER: I thought David signed the
 22 form, the husband.
 23 MR. RIVERA: He was there. He was the one
 24 -- the cashier, but he was actually the one in charge.
 25 MR. LEEDER: Like on a cigarette break or

1 something?

2 MR. RIVERA: He went on a break.

3 MS. COOPER: He went to the 7-11.

4 MS. SCHULTZ: Elvia, do you know what this
5 is? You signed it. It's a consent decree. You said
6 you requested a hearing, but you also do not contest
7 the charges.

8 MS. RAMIREZ: I can't understand the English.

9 MS. COOPER: "I do not contest the following
10 allegation." She requested a hearing on this side, she
11 requested to be here, but then she's saying that she
12 doesn't contest what she was doing.

13 MS. SCHULTZ: She knows what happened, but
14 she doesn't --

15 MS. COOPER: She agrees that it happened.

16 MR. LEEDER: What is the policy for -- excuse
17 me just a moment. What is the policy for when an
18 Inspector shows up and there isn't a cosmetologist in
19 charge present, but they walk in the door shortly
20 thereafter while the Inspector is still present?

21 What is that? I mean, does there -- is the
22 policy, or the law, or the regulation, that a
23 cosmetologist in charge is present at all times when
24 services are being performed?

25 MS. PADILLA: That's the way the law reads.

1 MR. LEEDER: So what happens when someone
2 does want to step out for five or ten minutes? Does
3 another cosmetologist step up?

4 MS. PADILLA: There was no other licensed
5 cosmetologist present at that time.

6 MR. LEEDER: So no one could have stepped
7 up, and yet services were being performed?

8 MS. PADILLA: Right.

9 MS. ALFA: By unlicensed people.

10 MR. RIVERA: This could be -- go check it out.
11 The paperwork. I was at the 7-11 for taking cup of
12 coffee for five or seven minutes.

13 MS. SCHULTZ: But it was okay that they were
14 working?

15 MR. RIVERA: No. They working in the
16 morning.

17 MS. SCHULTZ: But it's okay the people were
18 working?

19 MR. RIVERA: No. It's not right, you know,
20 it's not right when some people working like that. But
21 just somebody, like an agent from her, is like one
22 person with license just will be there, but I was for
23 taking coffee.

24 MS. SCHULTZ: Why weren't they cited under
25 260?

1 MS. PADILLA: 360 for the unlicensed people.
2 What they're actually contesting is the 370, no
3 licensed cosmetologist present at time of inspection.

4 When I did the inspection, he was not
5 present. He did enter the salon 10 to 15 minutes after
6 the inspection was being performed.

7 MS. SCHULTZ: So you can't cite them unless
8 they're present?

9 MS. PADILLA: What I issued my citation was to
10 the owner for having no cosmetologist present at the
11 time of the initial inspection. He did enter the
12 salon. He had his scissors and stuff in a leather
13 pouch with him.

14 I don't know if he was at 7-11 and he takes
15 his stuff with him or not, but that's a possibility.

16 MS. SCHULTZ: But the unlicensed people in
17 the salon bothers me.

18 MS. PADILLA: There was four of them.

19 MS. SCHULTZ: They weren't cited?

20 MS. PADILLA: They were all issued civil
21 citations except for the one that left, and the owner
22 was cited, as well. That's why she is not contesting
23 those.

24 MR. RIVERA: We're not contesting that.

25 MS. COOPER: She's not contesting that part,

1 she's only contesting the cosmetologist present in
2 charge.

3 MR. LEEDER: I have a quick question. If we
4 don't have a list of people working, then the
5 cosmetologist in charge is not overseeing anybody.

6 MS. COOPER: Everybody that was there was
7 unlicensed. We don't put unlicensed people on that
8 side of the inspection sheet. They have to be licensed
9 to be on there.

10 MR. LEEDER: But I guess what I'm saying,
11 just on paper, it doesn't appear that he needs to
12 oversee anybody.

13 MS. COOPER: There is nobody licensed to
14 oversee.

15 MR. LEEDER: Right.

16 MS. ALFA: So there was nobody working that
17 day --

18 MR. LEEDER: Just on paper --

19 MS. ALFA: -- according to us.

20 MR. LEEDER: -- it appears that nobody is
21 working. Because, I mean, I don't have anything --

22 MS. PADILLA: Well, that citation, if you look
23 at the front inspection sheet, the establishment
24 report, the other licensees are written down, but they
25 are not present.

1 MR. LEEDER: I don't think I have that.
 2 MS. PADILLA: The licensee's license is posted
 3 who were not present at that time.
 4 MR. WALTHERS: I have one person posted.
 5 MS. PADILLA: That is Elvia, and that's who
 6 the citation was issued to. That's why she's singled
 7 out on that one sheet by herself. Because not
 8 everybody in the salon was in violation of that 370,
 9 just her specific license was.
 10 MS. SCHULTZ: Now, do we also have a
 11 separate citation for them on the unlicensed people?
 12 MS. PADILLA: We have three civil citations
 13 for the unlicensed people. We have one for Elvia on
 14 unlicensed activity, as well, for that same day.
 15 CHAIRWOMAN LEWIS: And all of those
 16 things have been agreed to.
 17 MR. LEEDER: And paid?
 18 MS. PADILLA: Paid, I'm not sure of.
 19 MR. RIVERA: That's paid.
 20 MS. COOPER: That's paid. They're saying it's
 21 paid.
 22 MR. WALTHERS: Angela has something.
 23 MR. LEEDER: So Mr. Ramirez --
 24 CHAIRWOMAN LEWIS: Angela?
 25 MS. BROWN: I was going to say that if there's

1 no licensed people there, shouldn't the salon be closed
2 for business? The doors should be locked.

3 MS. SCHULTZ: Absolutely.

4 MR. LEEDER: Although it sounds like you were
5 working, sort of.

6 MR. RAMIREZ: Yes.

7 MR. WALTHERS: You weren't cutting hair at the
8 7-11, were you?

9 MR. RAMIREZ: Sometime I love to take a cup of
10 coffee. Because sometimes I go to the clubs and sleep
11 too late. I love coffee.

12 MR. LEEDER: Mr. Ramirez, the bottom line is
13 no one should be working in your salon who's not
14 licensed, number one, or under your charge. You're the
15 cosmetologist in charge. No one should be working
16 under your charge who is unlicensed.

17 And while somebody is working under your
18 charge, you need to be present. That's your obligation
19 to those licensed folks. You're taking the
20 responsibility upon yourself to oversee them while
21 they're working, so your coffee break is on hold.

22 MS. SCHULTZ: No. He can buy a pot.

23 CHAIRWOMAN LEWIS: Or you can buy a pot.

24 MR. LEEDER: But that's the bottom line. You
25 do need to be present to be in charge.

1 MS. ZESIGER: He can send one of the people
2 over to get him a cup of coffee.
3 MS. SCHULTZ: I'll make a motion to dismiss.
4 CHAIRWOMAN LEWIS: Making a motion to
5 dismiss?
6 MS. COOPER: The cosmo in charge?
7 MS. SCHULTZ: Yes, because there's no people
8 to be in charge of.
9 MS. ALFA: I second it.
10 CHAIRWOMAN LEWIS: We have a motion to
11 dismiss the citation for cosmo in charge. Moved by
12 Miss Schultz, seconded by Miss Alfa.
13 Any question on that motion?
14 MS. SCHULTZ: We're not setting a precedent?
15 MS. ALFA: Don't do it again, that's it.
16 MS. COOPER: We'll be -- go ahead. Finish.
17 We will not set a precedent for that. So we'll take
18 care of that.
19 CHAIRWOMAN LEWIS: Please don't. Okay. All
20 in favor of that motion, please say aye.
21 (Ayes.)
22 CHAIRWOMAN LEWIS: Opposed?
23 MR. WALTHERS: Nay.
24 MS. ZESIGER: Nay.
25 CHAIRWOMAN LEWIS: I'm nay, too. That's

1 three nays and three ayes.

2 MS. SCHULTZ: We need to take another vote
3 then. Do you want another motion?

4 MR. LEEDER: Or questions. Maybe why?

5 CHAIRWOMAN LEWIS: More questions.

6 MS. SCHULTZ: I'm satisfied that they were
7 cited for unlicensed activity, because that's basically
8 what it was. It was unlicensed activity because those
9 people are not licensed. Who is supposed to be in
10 charge of nobody? Nobody. The salon should be locked,
11 though, when you leave. That's my --

12 MR. RIVERA: We'll make sure to lock them.

13 MS. COOPER: With nobody unlicensed
14 working in there.

15 MS. SCHULTZ: Nobody unlicensed.

16 MR. RIVERA: We're not disputing that.
17 That's been paid for. That's taken care of.

18 MR. LEEDER: How much was that, if you don't
19 mind me asking? What were the fines?

20 MR. RIVERA: \$500, first offense. I've paid
21 that.

22 MR. WALTHERS: They've paid it. Then maybe I
23 could change a little bit.

24 CHAIRWOMAN LEWIS: Okay. The motion
25 passes.

1 MR. WALTHERS: There's no money out.

2 CHAIRWOMAN LEWIS: On the revote, the
3 motion passes. So that's been dismissed.

4 Let's take a ten-minute break, then we're
5 going to continue to speed through the rest of it. We
6 will not take lunch break until after we finish.

7 (Recess taken at 11:45 a.m.)

8 (Reconvened at 11:58 a.m.)

9 CHAIRWOMAN LEWIS: Meeting called back
10 to order. We are now down to Item Number 15. Petition
11 to appear.

12 Gwen Braimoh with the Expertise School of
13 Beauty. How are you doing?

14 MS. BRAIMOH: Good afternoon. I'm Gwen
15 Braimoh from the Expertise School of Beauty.

16 CHAIRWOMAN LEWIS: You have a petition
17 to change your name and your location?

18 MS. BRAIMOH: Yes.

19 CHAIRWOMAN LEWIS: Has this been reviewed by
20 staff?

21 MR. LEEDER: Yes -- excuse me.

22 MS. COOPER: Yes, it has.

23 CHAIRWOMAN LEWIS: And is everything in
24 order?

25 MS. COOPER: It is.

1 CHAIRWOMAN LEWIS: Do I have any
2 questions?
3 MS. SCHULTZ: Name and location. Same
4 owners, though?
5 MS. COOPER: Same owners.
6 MR. WALTHERS: How does the bond affect
7 that?
8 MS. COOPER: Does not affect it.
9 MR. WALTHERS: That's all I ask.
10 MS. ZESIGER: You're just adding "institute"?
11 MS. BRAIMOH: Right.
12 MS. SCHULTZ: Why are you tax exempt?
13 MS. BRAIMOH: We're non-profit.
14 MS. SCHULTZ: How does that happen?
15 MS. BRAIMOH: Do the paperwork.
16 MR. LEEDER: That's the reason the surety
17 bond was less?
18 MS. COOPER: Because the law reads if the
19 school was licensed prior to --
20 MR. LEEDER: You're just kind of being
21 grandfathered in?
22 CHAIRWOMAN LEWIS: Right. Okay. So do we
23 have any other questions? May I have a motion to
24 approve, please?
25 MR. WALTHERS: I'll make a motion to

1 approve as long as it's been approved by the staff.

2 MS. COOPER: Yes.

3 MS. SCHULTZ: I'll second.

4 CHAIRWOMAN LEWIS: It's moved by Mr.

5 Walthers, seconded by Miss Schultz that we approve the
6 allocation.

7 Any further questions on the motion? All in
8 favor, please say aye.

9 (Ayes.)

10 CHAIRWOMAN LEWIS: Thank you.

11 MS. BRAIMOH: Thank you.

12 CHAIRWOMAN LEWIS: I always must ask for
13 any opposed? Okay. Passed.

14 We have Laura Nava DeAcosta.

15 MS. COOPER: Actually, Laura came before the
16 Board in 2004. She wanted to get her license in
17 Nevada. She was -- they said, "Yes." The Board said,
18 "Yes." Your Board meeting minutes are attached, as
19 well, that she needed to sit for the written and the
20 practical.

21 She has since not sat for either, and she is
22 requesting that the Board allow her to just sit for the
23 written and not the practical.

24 MS. SCHULTZ: Where is the ten years' work
25 experience from?

1 MS. DeACOSTA: I have more than ten years.
2 The last time I was working was in 1993.
3 MS. SCHULTZ: Where?
4 MS. DeACOSTA: LA. East LA.
5 MS. SCHULTZ: Were you licensed in
6 California?
7 MS. DeACOSTA: No.
8 MS. SCHULTZ: So you were working without
9 a license in California?
10 MS. DeACOSTA: Yes.
11 MR. LEEDER: Are you currently working in
12 Nevada?
13 MS. DeACOSTA: Yeah, but not no cosmetology.
14 MR. LEEDER: Did you have a license from
15 anywhere else?
16 MS. DeACOSTA: Yes, Mexico.
17 MS. COOPER: She was out of country.
18 MR. LEEDER: Do you have that license with
19 you?
20 MS. DeACOSTA: Not right now.
21 MR. LEEDER: Did you pass a written exam to
22 get that license?
23 MS. DeACOSTA: Yes, and practical, too.
24 MR. LEEDER: Do you have a copy of that at
25 all?

1 MS. DeACOSTA: No. I bring nothing with me
2 because I bring everything last time I was here.

3 MR. LEEDER: Why is it that you don't want to
4 take the practical or the written test?

5 MS. DeACOSTA: Well, first of all, I've been
6 trying to get my license for a long time. I mean, it's
7 almost eight years. And I can work on it and
8 everything. It's right -- because I have ten years'
9 experience.

10 MS. SCHULTZ: But the ten years' experience is
11 without a license.

12 CHAIRWOMAN LEWIS: Speak louder, please.

13 MS. DeACOSTA: Okay.

14 MS. SCHULTZ: The ten years' experience is
15 without a license.

16 MS. DeACOSTA: Well, I got a license from my
17 country.

18 MS. SCHULTZ: Okay. Well, if you have a
19 license from your country, you need to present that to
20 the Board office.

21 MS. DeACOSTA: I did the last time I come.
22 Because when I start practicing my license, I bring all
23 my papers and they lose my papers. So they made me
24 lose a lot of time to get my papers back and bring over
25 again.

1 MR. LEEDER: Now, you know that with taking
2 the practical test and taking the written test, it
3 would merely affirm that yes, in fact, you have ten
4 years of experience. So it would kind of prove it, if
5 you will.

6 So is there -- maybe I'm just not quite sure
7 why you don't want to prove that by passing those two
8 tests and then receiving your license. That's kind of
9 what I'm not sure about.

10 Do you feel that for one reason or another you
11 might not pass?

12 MS. DeACOSTA: Yes. I feel like because I
13 haven't worked for like almost ten years, almost
14 like --

15 MR. WALTHERS: So does that mean you
16 think, though, even though you've not worked for ten
17 years and didn't take the written or the practical that
18 you could practice cosmetology in a safe way?

19 MS. DeACOSTA: Well, I'm trying to get a
20 class, you know, like to get started.

21 MS. SCHULTZ: A brush-up?

22 MS. DeACOSTA: Yes.

23 MS. ZESIGER: Where are you doing this? I
24 mean, if you've had since -- if you started in
25 September of '04 and you wanted the license, it would

1 seem to me that if I would go to school, I would do
2 something to -- or I would try to get the papers you're
3 saying that are missing that the office lost.

4 MS. DeACOSTA: Okay.

5 MS. ZESIGER: Have you tried to get those
6 documents?

7 MS. DeACOSTA: I trying to get a class, you
8 know, to make the test. But they don't have no class
9 to just take the test. They told me that I have to go
10 to school, and start school, and make the whole school.

11 MR. LEEDER: So staff has given her
12 instructions that she can't take the practical without
13 having classroom hours?

14 MS. COOPER: No, no.

15 MS. SCHULTZ: The Board?

16 CHAIRWOMAN LEWIS: The Board had heard
17 this before, and the Board said she needs to take the
18 practical and the written test and that -- but we would
19 accept her schooling from Mexico.

20 MR. LEEDER: So --

21 MS. COOPER: All out of country students have
22 to take the written and the practical. Once the Board
23 approves their -- they have to meet a certain criteria.
24 They have to. And we have that criteria in the office.
25 We go through and check it off.

1 As long as they meet that criteria they can
2 sit for the written and the practical without having to
3 come to the Board.

4 MR. LEEDER: So it would seem to me like
5 today, sign up for that written test. I mean, sign up
6 for it today. Because she's able to do that, right?

7 MS. COOPER: Yes, she is.

8 MR. LEEDER: So you could take the next
9 test. If you were to ace that test, then there's a
10 legitimate petition to ask us to waive the practical.

11 So, I mean, you would make --

12 MS. SCHULTZ: No.

13 MR. LEEDER: She could certainly ask. She
14 could ask. That's what I said, is that she could ask.

15 She could petition us -- because your
16 practical exam would indicate to us that, yes, you've
17 attempted to strategize your skill level.

18 So I would suggest that you sign up for that
19 practical test. Because you do need to be licensed in
20 Nevada to perform cosmetology services.

21 MR. WALTHERS: I would like to make a
22 motion she sit for the written and the practical
23 examination.

24 MS. SCHULTZ: I'll second.

25 CHAIRWOMAN LEWIS: It's been moved by

1 Mr. Walthers, seconded by Miss Schultz that she sit for
2 the written and the practical examination after which
3 she will be licensed.

4 MR. WALTHERS: We'll accept her --

5 CHAIRWOMAN LEWIS: We'll accept her out
6 of state documentation, which we would have done
7 before, for being able to do that.

8 MR. LEEDER: In lieu of the Nevada education?

9 CHAIRWOMAN LEWIS: In lieu of Nevada
10 education, correct.

11 Any questions on the motion? All in favor,
12 please say aye.

13 (Ayes.)

14 CHAIRWOMAN LEWIS: Opposed? None. So
15 you must sit for the tests. Okay?

16 MR. LEEDER: Now, you know that we do offer
17 Spanish testing. Is that your language of choice?

18 MS. DeACOSTA: Yes.

19 MR. LEEDER: Talk to our office staff about
20 receiving your testing in the language that would be
21 perhaps easier or more efficient for you. So we can
22 accommodate you in that way, if that's your concern.

23 MS. COOPER: It's not the problem. It's the
24 practical.

25 MR. LEEDER: Does that come with the

1 translating ability?

2 MR. WALTHERS: You can hire a translator,
3 but most of them prefer not to have a translator.

4 MS. COOPER: That's a whole separate issue.

5 MR. LEEDER: Okay.

6 CHAIRWOMAN LEWIS: Thank you very much.

7 Next is Joanna Tran. Would you state your
8 name, please, and your --

9 MS. TRAN: My name is Joanna Tran, and I
10 own Best Nails located at 10860 West Charleston in
11 Summerlin.

12 CHAIRWOMAN LEWIS: Speak up so she can
13 hear you. She says her name is Joanna Tran and Best
14 Nails at --

15 MS. TRAN: 10860 West Charleston.

16 MS. SCHULTZ: You want to post all your
17 licenses in one place; is that correct?

18 MS. TRAN: Just because -- I have pictures,
19 if you want to see the salon.

20 CHAIRWOMAN LEWIS: Please speak up.

21 MS. SCHULTZ: You know, the law states they
22 have to be at their work station.

23 MS. TRAN: I understand.

24 MS. ZESIGER: She wants to change that.

25 MS. TRAN: I'm just asking just to be on the

1 wall. Our sauna is really big, and I have 14 girls
2 working for us, and we only have nine stations. That's
3 the maximum that shops can go.

4 And as you can see, the salon is very well
5 employed and lots of people.

6 MR. LEEDER: Miss Tran, I'm going to cut to
7 the chase because of the time here. But when I read
8 through your request, I do want to be real clear that
9 it was actually a little confusing because you have 9
10 nail stations, 12 nail techs. You've just told us 14
11 nail techs.

12 MS. TRAN: I just hired two more.

13 MR. LEEDER: That's okay. I think that's
14 good. Do you also use a station whenever there's a
15 station open? Not all the tools are -- or not all your
16 techs are working on the same days and some of them do
17 pedicures when there's no tables, right?

18 It makes it very difficult for our inspectors
19 who come in to be able to ascertain who is who from a
20 license and who is working. So the whole point of
21 having a license displayed where you're working is to
22 make that inspection process quick and easy and
23 efficient.

24 MS. TRAN: Right. But when they come in, if
25 they're working on pedicures all day, where would I --

1 MR. LEEDER: Carry them with them. Sure.
2 Just put them in a little pocket and carry it with you
3 to whatever station you have.

4 MR. WALTHERS: I have the same situation
5 you do in my salon. I have 12 stations and I have 30
6 hair dressers. We work shifts. I got cited because I
7 didn't have my people's licenses there.

8 MS. TRAN: But it's very well -- you know,
9 when the inspectors walk right in the store, they see
10 everybody.

11 MR. WALTHERS: But they don't know who is
12 who.

13 MS. SCHULTZ: Miss Tran, it doesn't matter.
14 It's the law.

15 MR. WADHAMS: It's unfortunately a lot more
16 simple than that. You couldn't deviate because it's
17 not an administrative code. This is NRS and it has to
18 be at the position. You have no authority to deviate
19 from that because that was adopted by the Legislature.

20 MS. TRAN: So every time, if someone works on
21 pedicures they have to bring it with them everywhere
22 they go?

23 MR. WALTHERS: Yes.

24 MS. TRAN: Even if they don't have a station,
25 they have to bring it?

1 MR. LEEDER: Yes. Where they are working
2 it needs to be displayed. So that way, the client can
3 look at the license and see the person who's working on
4 them. They have to be able to see both the license and
5 the person as they're getting worked on, whether it's
6 hair, nails or face.

7 MS. TRAN: Does it have to be at -- I mean, if
8 they're at a pedicure, there's nowhere to hang it. If
9 the inspectors come in, do they pull it out of the
10 purse?

11 MR. WALTHERS: I have pedispas, too. I
12 have a tag they can hang them right on as they work.
13 And when the next one comes in, she pulls it off and
14 the second one goes in, puts hers there.

15 MS. TRAN: Okay. I'm just --

16 MR. WALTHERS: I do the same thing. That's
17 why I got cited. My cosmetologist put somebody else's
18 over the top of hers.

19 MR. LEEDER: So because the Legislature has
20 mandated that, that's how it is. We, unfortunately,
21 cannot change that, regardless of your request.

22 MS. TRAN: Okay. It's a try. Okay. Thank
23 you.

24 MR. LEEDER: Do you have to move to dismiss
25 that?

1 CHAIRWOMAN LEWIS: No. We just can't do
2 anything about it.

3 Next is Denise Knochel. The request is for a
4 school of cosmetology.

5 MS. KNOCHEL: Yes.

6 CHAIRWOMAN LEWIS: G Skin and Beauty
7 Institute. Would you state your name, please, and your
8 position for the record?

9 MS. KNOCHEL: Denise Knochel. Instructor in
10 charge, manager.

11 CHAIRWOMAN LEWIS: Denise Knochel. I
12 apologize.

13 MS. KNOCHEL: German.

14 CHAIRWOMAN LEWIS: Has the staff reviewed
15 this?

16 MS. COOPER: Yes, I have, and everything is in
17 compliance. She has the new school bond amount.

18 CHAIRWOMAN LEWIS: Yes.

19 MS. SCHULTZ: And they're already established
20 and they're on their way.

21 MS. KNOCHEL: Yes, we are.

22 MS. SCHULTZ: And you're going to be a brand
23 new one out here?

24 MS. KNOCHEL: Yes. We're very excited about
25 it.

1 CHAIRWOMAN LEWIS: Will you continue
2 operations in Illinois?

3 MS. KNOCHER: Yes. We opened one that is
4 strictly skin care. That's what we were hoping to do
5 here, but once we got here we realized you don't do
6 that here, so we're doing the whole thing.

7 But we're very excited. I'm just -- I may
8 seem nervous, but I'm so excited to be here. It's a
9 step in the right direction.

10 But the 25 bonefied students, I do have a
11 question about that. See, in Illinois we cannot
12 open -- we can't enroll anyone prior to opening.

13 So to me, this is the opposite of what I'm
14 used to. And so we are concerned about legality with
15 advertising for students. We don't want to do anything
16 improper. So what we've been doing is we just have a
17 web site going. But would it be out of the question
18 for ads in the paper or anything like that?

19 CHAIRWOMAN LEWIS: No.

20 MS. KNOCHER: I'm doing very well with the
21 ones I have.

22 MS. SCHULTZ: You can register, they just
23 can't start getting training until you're approved.
24 That's at inspection, that date.

25 MS. KNOCHER: As far as that goes, I'm just

1 trying to get clear on how it works, I'm so confused on
2 it. What we're doing now is we're -- I'm enrolling
3 students and giving them a projected start date of
4 April 18th. That's why I was kind of quickly getting
5 the paperwork together to get before the Board.

6 I didn't learn about the dates until a couple
7 weeks prior to me calling Lisa. So I was like oh, no.
8 Because your next Board meeting was right after we
9 wanted to open. So I'm kind of curious how the whole
10 timing goes with licensing and -- I mean, do you
11 inspect and on the same day issue the license and then
12 that's the first day?

13 MS. SCHULTZ: And those students have to be
14 present that day.

15 MS. KNOCHEL: Right, and we are doing that.

16 MS. SCHULTZ: Everything has to be in place
17 that day they inspect, and then they'll issue you the
18 license that day.

19 MS. KNOCHEL: Okay. Because I kind of
20 squeaked into this meeting, but we're not ready. So
21 I'm hoping that no one is coming any time soon to do
22 the inspection, because it would not be ready.

23 MS. COOPER: We'll set it up with you on the
24 18th. It will all be that day.

25 MS. SCHULTZ: You tell them what day you

1 want it inspected.

2 MR. WALTHERS: If you need more time than
3 the 18th, you tell them the 25th.

4 MS. KNOCHEL: Okay. Thank you. That's
5 wonderful.

6 The other thing I wanted to ask is, is there a
7 standard form for when we register each new student
8 with the Board?

9 MS. SCHULTZ: Yes.

10 MS. KNOCHEL: Do you have the form? We
11 don't make one up on our own?

12 MS. COOPER: I need to get you that.

13 MS. KNOCHEL: Also, when I have my licensed
14 instructors in place, where would I display their
15 licenses?

16 MS. SCHULTZ: You can display them in one
17 place.

18 MS. KNOCHEL: I was wondering that because of
19 what was going on today.

20 Thank you for today, by the way. This has
21 been very informative today, sitting here. I see that
22 a lot of students are in here, too, which is wonderful.

23 MR. WALTHERS: Good.

24 MS. KNOCHEL: I think that's great.

25 MR. LEEDER: We wish you ever success then.

1 MS. SCHULTZ: I'll make a motion that we
2 approve this school, pending the inspection.

3 MS. ZESIGER: Second.

4 CHAIRWOMAN LEWIS: Okay. Moved by Ms.
5 Schultz and seconded by Ms. Zesiger that we approve the
6 school pending the inspection.

7 And, of course, is there a question on the
8 motion? All in favor of the motion, please say aye.

9 (Ayes.)

10 CHAIRWOMAN LEWIS: Opposed? Okay.
11 Thank you very much. Good luck.

12 MR. LEEDER: As a matter of clarification, the
13 bond that she files with the State is the reason why
14 it's different than in Illinois.

15 MS. KNOCHER: Okay. That makes sense then.
16 That covers any --

17 MR. LEEDER: To help you to explain it to
18 someone else.

19 MS. KNOCHER: And the bond is for a time
20 period of five years. Is that where it needs to --

21 MR. LEEDER: Well, it represents what you
22 should be holding, monies -- you should be holding in
23 trust for paying students to ensure that they finish,
24 and that the school doesn't hold that uncollected
25 revenue and not provide the education that they're

1 expecting.

2 MS. KNOCHER: Great. Thank you very much.

3 CHAIRWOMAN LEWIS: Thank you very much.

4 Now we will have the -- back to number --

5 MS. COOPER: Back to B. Either B or C, either
6 one. And then I'll do --

7 CHAIRWOMAN LEWIS: We have the Chief
8 Inspector's report.

9 MS. COOPER: Yes.

10 CHAIRWOMAN LEWIS: Okay.

11 MS. ALEXANDER: I'm going to do that in
12 Annie's absence. On inspections of salon, nail
13 required \$25 reinspection fee.

14 The inspections that were done for the month
15 of January, a total of 434 inspections were done;
16 reinspections were 11; 47 of those salons were closed;
17 26 citations were issued; 7 civil citations were
18 issued.

19 At this time, Inspectors are getting into all
20 salons every three month. This includes all outlying
21 areas.

22 Both the north and south inspection staff has
23 worked on Saturdays to catch up on unlicensed activity.
24 Northern and southern inspectors are signed up for
25 investigative training for Level 1 and 2, advanced

1 courses beginning in March. And I do have a breakdown
2 for the north and the south.

3 For January for the north, a total of 201
4 inspections were done; 3 reinspections; 37 of those
5 were closed; 6 citations were issued; 2 of those were
6 civil citations.

7 For December for Southern Nevada, 386
8 inspections were done; 30 of those were reinspections;
9 25 of those were closed; 16 citations were issued; 5 of
10 those were civil citations.

11 And because of the change of law, we are now
12 at the required \$25 fee for reinspections of salons.
13 That's the report.

14 CHAIRWOMAN LEWIS: Okay.

15 MR. LEEDER: Real quickly, when they're
16 closed, is that considered a reinspection?

17 MS. ALEXANDER: No.

18 MR. LEEDER: So that's the first time. So
19 even though you've gone there and the door hasn't been
20 available, there's no fee?

21 MS. ALEXANDER: No.

22 CHAIRWOMAN LEWIS: Okay. 19. We'll go
23 to 19.

24 MS. COOPER: What I was going to say was
25 the NIC contract has gone to the Board of

1 Administrators. They're going to be meeting on
2 February the 14th. We hope to have a signed contract
3 by the 15th. At that time we'll be getting our
4 scheduling done for rater training.

5 Which leads me to the Reno office report. We
6 need more raters in Reno. We all know that. And once
7 we get another rater, or at least a couple of raters
8 that we can use for testing during the week, that will
9 free up more of our office staff time.

10 Because as a result, Jill's administering the
11 written exam, Michael's covering the front office, and
12 if we had a rater, then Michael could go out in the
13 field, Jill would be in the office, and the rater would
14 be doing the testing.

15 So once we get that situation corrected, we'll
16 go ahead and get all that fixed.

17 MR. WALTHERS: How many raters do you
18 think you need out of the north?

19 MS. COOPER: I'm thinking I would like at
20 least five. Minimum of five. And the reason being is
21 that we can add more tests if we have more raters so
22 that we can take any -- we can utilize any week -- like
23 a Sunday, Monday, we can utilize those days.

24 MR. WALTHERS: And how many total raters
25 do you want trained?

1 MS. COOPER: Between Vegas and Reno? How
2 many do you have for Vegas that you want?
3 MS. BELL: I would say seven. Seven here.
4 MR. WALTHERS: So if you keep it at 12, you
5 know that's the cheaper price. If you go over 12,
6 that's more.
7 MS. COOPER: We'll keep it at 12.
8 CHAIRWOMAN LEWIS: That's why she's at
9 seven.
10 MS. BELL: I already did the math.
11 MR. WALTHERS: I'm so glad. You stayed right
12 up on that. And do you want the training in Las Vegas
13 or --
14 MS. COOPER: Can we have it split?
15 MR. WALTHERS: No. It costs you twice. You
16 would have to pay it twice. But what I'm trying to do
17 is, once you get a date, I'll try to get it in as fast
18 as we can.
19 MS. COOPER: It will probably be then.
20 MS. SCHULTZ: I think Reno because we
21 desperately need them up there.
22 MS. COOPER: We really need them, whereas
23 the raters we already have here are just going to be
24 getting updated.
25 MS. BELL: Right. Because I want to use the

1 same ones that I already have and not open it to the
2 public, because I'm satisfied.

3 MS. ZESIGER: We have seven here?

4 MS. BELL: Right.

5 MR. WALTHERS: So if you can do it in Reno, it
6 would be a lot better.

7 MS. COOPER: Then we can have a school
8 overview, as well. I would like that for our Reno
9 schools desperately.

10 MR. WALTHERS: But now all schools are
11 eligible to come to that. It doesn't have to be --

12 MS. COOPER: Yes. But just because of its
13 location, last year was in Las Vegas, I do know that
14 three schools --

15 MR. WALTHERS: You do lose them.

16 MS. COOPER: Yes.

17 MS. SCHULTZ: It's always been in Vegas.

18 MS. COOPER: Maybe we can start alternating
19 years.

20 MR. WALTHERS: Yes.

21 CHAIRWOMAN LEWIS: We're expecting to
22 have the contract when? I'm sorry.

23 MS. COOPER: Hopefully -- February 14th is
24 when they're meeting -- the Board of Examiners are
25 meeting, so hopefully we'll be having the contract by

1 the 15th.

2 MR. WALTHERS: I don't know if you need
3 to tell the Board Examiners, but two of the other
4 contractors that bid on the State exam have now sold,
5 so they're totally different companies.

6 MS. COOPER: Well, we have a signed contract
7 from NIC so that -- so yeah. We're signed from NIC and
8 that's the only one that was sent that was processed.

9 MR. WALTHERS: Promisor and Experior were
10 both sold.

11 MS. COOPER: Okay.

12 CHAIRWOMAN LEWIS: Okay. Thank you
13 very much. Now, a testing report?

14 MS. BELL: Yes. I have for the month of
15 December we tested 203 people, candidates rather, and
16 that's including Reno and Las Vegas.

17 We had a short month because of the
18 Christmas holidays and whatever, so we only tested two
19 weeks out of that month.

20 In January our numbers improved, but we also
21 have kind of like a slow period because it was the
22 beginning of the new testing procedure. So we were
23 kind of like waiting on the schools to come in with the
24 transmittals.

25 And I do foresee our numbers improving

1 because we are on a roll now and we are giving the
2 transmittals more often than we were in the beginning.

3 So the total tested for the month of January
4 were 323. The total unsuccessful were 83. The
5 candidates that were charged retake fees were 90 -- 90
6 candidates. Because I wanted to show our income that
7 we're bringing into the Testing Center, as well as the
8 students being tested for the retake fee, as well.

9 MS. ZESIGER: So we had 90 that retested?

10 MS. BELL: That are charged retake fees of
11 \$110 per candidate.

12 MR. WALTHERS: They should all be charged
13 that?

14 MS. BELL: Yeah. Because the retake fees
15 went up from \$75 to \$110. So we only had 83 that were
16 unsuccessful and we licensed the rest of the
17 candidates.

18 MS. ZESIGER: Good. That's very good.

19 CHAIRWOMAN LEWIS: Comments by the
20 general public? Do we have any comments from anyone in
21 attendance? Any comments by the Board Members?

22 MR. WALTHERS: I'm sure they're going to
23 ask if they get a full day of hours.

24 MS. ZESIGER: I would like to say --

25 MS. SCHULTZ: I would say yes.

1 CHAIRWOMAN LEWIS: It's after 12:00 so I think
2 they'll get a full day.

3 (Applause.)

4 MR. WALTHERS: If you signed in. If you
5 didn't sign in, you don't get any.

6 MS. ZESIGER: We should also compliment our
7 staff. I think that every month -- every time we have
8 a meeting you impress us because you're doing more
9 every time and I'm impressed. I have to tell you, I
10 think it's quite impressive.

11 MR. WALTHERS: You've come a long way in
12 a short amount of time.

13 CHAIRWOMAN LEWIS: You really have been
14 able to answer questions and be responsive. Thank you.

15 MS. SCHULTZ: Motion that we adjourn.

16 MR. WALTHERS: I second the motion.

17 MS. SCHULTZ: Motioned.

18 MR. LEEDER: Second.

19 CHAIRWOMAN LEWIS: It's all passed. All in
20 favor?

21 (Ayes.)

22 CHAIRWOMAN LEWIS: Meeting adjourned.

23 (Thereupon the proceedings
24 adjourned at 12:30 p.m.)
25

1 CERTIFICATE OF REPORTER
STATE OF NEVADA)

2) ss:

COUNTY OF CLARK)

3

4 I, ELLEN L. FORD, a duly commissioned Notary
5 Public, Clark County, State of Nevada, do hereby
6 certify: That I reported the proceedings commencing on
7 Monday, February 6, 2006 at 8:59 a.m.

8 That I thereafter transcribed my said
9 shorthand notes into typewriting and that the
10 typewritten transcript is a complete, true and accurate
11 transcription of my said shorthand notes.

12 I further certify that I am not a relative or
13 employee of counsel of any of the parties, nor a
14 relative or employee of the parties involved in said
15 action, nor a person financially interested in the
16 action.

17 IN WITNESS WHEREOF, I have set my hand in my
18 office in the County of Clark, State of Nevada, this
19 17th day of February, 2006.

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ELLEN L. FORD, RPR, CCR

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